

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, January 08, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|----------------|---------------------|------------------|
| Rules | Assignment of Rules | |

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Tuesday, January 08, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst, Buckner-Webb
- ABSENT/ EXCUSED:**
- NOTE:** The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENE:** **Chairman Goedde** called the **Education Committee** to order at 3:03pm. A silent roll was taken.
- Chairman Goedde** directed Committee Members to information provided by the Legislative Education Staff Network concerning current educational issues. **Chairman Goedde** also referred the Committee to a list of team assignments for the purpose of Rules Review over the next three Committee meetings.
- After introductions of new staff and audience members, **Chairman Goedde** asked each Committee member to give a brief perspective on the upcoming session and their individual goals.
- Vice-Chairman Mortimer** expressed his pleasure with the interest that is being taken in education as evidenced, in part, by Idaho Business for Education and the Albertson Foundation in their presentations this week. **Vice-Chairman Mortimer** has attended several education conferences to gain perspective on how Idaho compares to other states in supporting students and their achievements. **Vice-Chairman Mortimer** anticipates significant legislation on different aspects of the educational community, and looks forward to the stakeholders' and constituents' active participation.
- Senator Fulcher** expressed his thanks to **Chairman Goedde** and **Vice-Chairman Mortimer** for their continued pursuit of fresh ideas both in and out of session. **Senator Fulcher** said that he has no "agenda" for this session, but rather, looks forward to working with the Committee and stakeholders to best promote education in the State.
- Senator Patrick**, who has served on both the House Education Committee as well as the Joint Finance and Appropriations Committee, stated that he, too, has no personal agenda, but recognizes that the Committee needs to address areas of concern left by the defeat of Propositions 1, 2 and 3. He also praised the presentation by the Albertson Foundation..
- Senator Thayn** has served the House Education Committee and expressed his appreciation for now serving on the Senate Education Committee. He looks forward to the challenges and opportunities of the current Session. He recognizes that education is in transition and looks forward to his participation.
- Senator Pearce** joined with others in expressing his disappointment at the failures of Propositions 1, 2 and 3, and wishes in the coming Session to "do right by the children of Idaho". He notes the Committee's great obligation to improve the education system and appreciates the sincerity of all Committee members.

Senator Nonini, who also has served on the House Education Committee, expressed his belief that "policy drives budget". Since the greatest part of the State's budget is with Education, he feels that the Education Committees of the Senate and the House are the two most important Committees in the Legislature.

Senator Durst agrees with the desire to do what is right for Idaho's students, both at an early age and going forward. He expressed appreciation for the opportunity to serve on the Committee.

Senator Buckner-Webb expressed her appreciation for the opportunity to serve on the Senate Education Committee. She has heard numerous conversations across the State from people in communities saying that education is foundational to Idahoans and that what The Committee does this year, and in the coming year, leaves a legacy for the future. She looks forward to collaboration, cooperation, investigation, inspiration and innovation in working on the Committee.

Chairman Goedde addressed the Committee, noting that short-term solutions need attention in order to correct the Code, and he believes those solutions will be worked out in policy made, rather than in the budget received. **The Chairman** noted other areas of focus, including Common Core State Standards. He does not believe any of Idaho's schools are ready develop their curriculum in compliance with those standards and that emphasis will be needed in professional development.

Chairman Goedde stated that Idaho is part of the Smarter Balanced Assessment Consortium. In 2014, schools will implement computer adapted tests. Therefore, every school must have computers with appropriate bandwidth to be successful in this transition. **Chairman Goedde** further voiced concern with student remediation. North Idaho College has founded a remarkable program; changes are being made in other institutions as well, and the Committee may look forward to presentations by these institutions on their programs.

Chairman Goedde affirmed his belief that we can effect change in our schools while also providing educators with professional development in the areas impacted. He encourages a discussion of professional development – what does and what doesn't work – to assist districts in adopting change.

Professional development means introducing into the classroom those skills educators need to effectively teach. New teachers ought not need professional development, however, they might require mentoring. **The Chairman** has posed several questions to each institution which will provide a picture of those means most effective in producing good teachers. Through collaboration, he hopes they can implement ideas that are working effectively among them.

Chairman Goedde closed with the assurance that he will provide the Committee with information gleaned through his contacts both statewide and nationally. He also reciprocates with education partners, trustees and administrators. **The Chairman** agrees that areas of education policy will have significant impact and that the challenge will be to balance the Committee and the Governor's forum. He suggests that there is more than one way to reach consensus.

Chairman Geodde asked if there were any further remarks or questions.

Senator Durst raised a question on the process of Rules Review. **Vice Chairman Mortimer** clarified that in assigning teams, each team will explore their assigned rules in depth and make recommendations to the Committee.

ADJOURN: Having no further business, **Chairman Geodde** adjourned the meeting at 3:24 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, January 10, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|--------------|--|---|
| 08-0110-1201 | Idaho College Work Study Program | Tracie L. Bent State Board of Education |
| 08-0111-1201 | Registration of Post-Secondary Educational Institutions and Proprietary Schools | Tracie L. Bent |
| 08-0114-1201 | Idaho Rural Physician Incentive Program (Chapter Repeal) | Tracie L. Bent |
| | Rules Governing Uniformity | |
| 08-0202-1201 | Dealing with Endorsements | Luci Willits State Board of Education |
| 08-0202-1202 | Waiver of Mathematics in Service Program | Luci Willits |
| 08-0202-1203 | Standards Revisions | Luci Willits |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
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MINUTES
SENATE EDUCATION COMMITTEE

DATE: Thursday, January 10, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Vice Chairman Mortimer, Senators Pearce, Nonini, Thayn, Patrick and Buckner-Webb

ABSENT/ EXCUSED: Chairman Goedde, Senators Fulcher and Durst

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENE: **Vice Chairman Mortimer** called the meeting to order at 3:07 p.m. and roll was taken. **The Vice Chairman** noted that the excused Senators were attending the Economic Outlook Committee.

Vice Chairman Mortimer outlined the rules review procedure, noting that the Committee would not vote on rules until all Rules had been heard. He then called upon **Tracie L. Bent** from the State Board of Education (SBE) to present the first group of rules.

DOCKET NO. 08-0110-1201 **Ms. Bent** is the Chief Planning and Policy Officer for the State Board of Education (SBE). She stated that Docket No. 08-0110-1201 deals with the Idaho College Work Study Program. The first addition to this rule is mandatory language which inadvertently was left out of Subsections 0001 - 0006.

The changes to the program itself start in Section 101, Institutional Participation, and attempt to simplify the process of enrolling in the Work Study Program. Further, the formula used to allocate funds in the Work Study Programs inadvertently put community colleges at a disadvantage. Section 101 is amended so that the Application to participate in the Program must be submitted to the SBE by February of the each year using student enrollment data of the fall semester prior to the new fiscal year.

Section 102, Allocation of Funds, uses the same language – that enrollment data shall be based on the fall semester "prior to the fiscal year". The formula for appropriating funds now will be a multiplier based on resident "degree-seeking students" instead of all full-time students. This recognizes the part-time nature of some community college students who nonetheless seek degrees.

Section 105 revises the time line for distribution of funds to the fall academic term instead of twice during the fiscal year.

Section 106 deals with the 10% carry over of work study program funds from year to year, and clarifies that any funds exceeding 10% shall be returned and redistributed by the SBE.

Vice Chairman Mortimer asked how much more money Idaho's community colleges might receive as a result of these changes. **Ms. Bent** stated that it would vary among the community colleges; for example, funds received by the College of Western Idaho might actually decline, but she restated that the new language would equalize the funds granted among those institutions having more full-time enrollments with those having a greater number of part-time enrollments. Estimates of available funds are difficult at this time due to evaluation of the program at the federal level.

Senator Nonini asked if the new formula might cause friction from 4-year colleges, such as University of Idaho and Idaho State University, who may feel negatively impacted.

Ms. Bent stated that the Board had conferred with the institutions; none had voiced concern, understanding that the change was equitable.

**DOCKET NO.
08-0111-1201**

Ms. Bent stated that Docket No. 08-0111-1201 pertained to Registration of Post-Secondary Educational Institutions and Proprietary Schools. The first change in Section 200, Registration Fees, was made at the request of those who are required to register. It changes the reporting year for establishing the gross Idaho tuition revenue from the previous registration year to the previous tax reporting year. This aligns with other data collecting periods, thus allowing efficiency for their offices. The change affects both Post-Secondary Education Schools and Proprietary Schools.

The second change, in Subsection 200.09.a.vi., is geared to "truth in advertising." This subsection was added to require that advertising in pamphlets used to solicit students accurately represent the purpose of the school, their courses of study, what the students can expect to receive from the program. It now also specifies that if the program has clinical requirements, then the availability and location of those clinical settings must be disclosed. The SBE had received feedback from students that the program was as they expected, but when faced the clinical portion, they did not realize that there were no clinical opportunities in the local area. This meant that they might be required to travel out-of-state to complete the clinical portion of the program. The same language has been added in the Proprietary Schools section, Section 300.f. While it is less likely that those schools would have such clinical programs, the SBE wanted to ensure that students were adequately informed of the availability of clinical settings required by a given program.

Senator Buckner-Webb noted that she had received such student feedback and was pleased that the issue had been addressed. **Senator Thayn** asked if "truth in advertising" generally exists in public institutions. **Ms. Bent** replied affirmatively, explaining that if the SBE receives complaints, then it also acts quickly to correct any problems.

Senator Nonini inquired about Section 100, Recognition of Accreditation Organizations, and asked why the language "and by the Council for Higher Education Accreditation" had been stricken. **Ms. Bent** replied that The Council for Higher Education is a membership organization that has been reorganized over the past year. Many institutions that were members are no longer are members. Therefore, it seemed inappropriate to have an institution's requirements for accreditation based, in part, on membership in the Council for Higher Education.

Senator Thayn asked if the SBE had received comments from any proprietary schools on this rule. **Senator Nonini** offered that, in reviewing this rule, he had visited with Chris Ellis who represents those proprietary schools, and they have no objections to this rule.

There being no further questions, **Vice Chairman Mortimer** proceeded to Docket No. 08-0114-1201, Idaho Rural Physician Incentive Program.

**DOCKET NO.
08-0114-1201**

Ms. Bent explained that the Idaho Rural Physician Incentive Programs, for which the SBE has promulgated rules for the Senate and House Education Committees, was moved, by legislation, to jurisdiction of the Department of Health and Welfare, Office of Rural Health. Due to transfer of the program, the Education Committees no longer need this section of rules. The SBE, therefore, recommends repeal of this entire section.

Vice Chairman Mortimer next called upon **Ms. Luci Willits**, Chief of Staff of the State Department of Education (SDE) to present Rules Governing Uniformity.

**DOCKET NO.
08-0202-1201**

By way of background, **Ms. Willits** explained that responsibility lies with the Professional Standards Commission to ensure that standards for educators are up to date and applicable to performance expected of educators in the classroom. The Commission also serves as the ethics body for educators. Each year, the Professional Standards Commission reviews approximately 20% of the standards. This particular rule addresses endorsements. The first change, on page 26, deals with health endorsements, and clarifies that in order to obtain a health endorsement, educators must complete an Elementary Health Methods course.

The same clarification applies to the Physical Education (PE) endorsement, on page 28, which specifies that in order to obtain a PE K-12 endorsement, applicants must complete an elementary PE methods course. One final change in this rule, on page 29, involves the Generalist Endorsement K-12 and clarifies that this endorsement requires field work, including an internship and student teaching in a special education setting.

**DOCKET NO.
08-0202-1202**

Ms. Willits stated that in 2007 Superintendent Luna launched the Idaho Math Commission. The Commission initiated a requirement for professional development of teachers, wherein teachers take the Mathematical Thinking for Instruction course set forth in the Mathematics In-Service Program. This section clarifies that the SDE expects administrators, as well as teachers, to take this course. The course outlines strategies and methodologies for teaching mathematics. Administrators need to understand how to support teachers who are taking this course, and to ensure that these methods are utilized in the classroom. This rule applies to all school districts and all administrators, and is paid for by the State.

The Waiver of Mathematics In-Service Program section was added to address teachers who live out of state but who are Idaho certified, as well as teachers who hold certification in Idaho but are not actively teaching. Since priority for professional development expenditures favor active teachers, this waiver allows returning teachers to postpone the Mathematics In-Service Program. Upon return to active status, these teachers must complete the program within three years. **Ms. Willits** advised that, in presenting this section to the House Education Committee, a minor change was suggested and agreed upon; a new temporary rule will be forthcoming to rephrase "Idaho employment in an Idaho public school".

Vice Chairman Mortimer asked if, at this time, all of Idaho's administrators have taken the Mathematical Thinking for Instruction course. **Ms. Willits** replied that not all administrators or teachers have completed the course, even though it has been required for some time. This rule clarifies the requirement for administrators who might find ambiguity in the requirement. **Vice Chairman Mortimer** asked further if the Mathematics In-Service Program applied to online course teachers. **Ms. Willits** replied the organization which operates the Mathematical Thinking for Instruction course have sought online inclusion; however they do not have a complete course available at this time. **Vice Chairman Mortimer** further posed a hypothetical scenario which involved an online school with an online administrator who operated out of state, and asked if this requirement would apply to them. **Ms. Willits** responded that in such a case, the administrator must meet the course requirement. Idaho-certified administrators in public schools must take the course. **The Vice Chairman** queried if such a scenario was clear in this rule. **Ms. Willits** believed so and felt that this rule eliminated ambiguity.

Having no further questions from the Committee, the **Vice Chairman** recognized **Penny Sue**, the President of the Idaho Education Association who thanked the SDE for addressing their concerns.

**Docket
No.08-0202-1203**

The Vice Chairman next called for testimony concerning Docket No. 08-0202-1203, Incorporation by Reference. **Ms. Willits** stated that in the rule making process, it is common practice to incorporate by reference manuals from other agencies which are too voluminous to include in the bulletin. These manuals are updated every five years. The standards are vetted by the professional community, and every year 20% of the standards are reviewed. Those reviewed this year included, among others, common teacher standards, bilingual language teacher standards, and English teacher standards. **Vice Chairman Mortimer** asked if, by this rule, the Committee was being requested to adopt all of the changes to the Idaho Standard for the Initial Certification of Professional School Personnel. **Ms. Willits** responded affirmatively, confirming that the Committee's approval of this rule would also approve the most recent version of that document. Some sections are new, such as the Teacher Leader Program. **The Vice Chairman** expressed his concern that these manuals contain substantial revisions of which the Legislature should be aware, and wanted to ensure that the Committee has time to review the manuals themselves. To address this concern, **Ms. Willits** introduced **Christina Linder**, the Director of Certification of Professional Standards, who then was recognized by **Vice Chairman Mortimer**.

Ms. Linder explained that in looking at the 20% of reviewed standards, the Committee often would see small changes which might address particular courses or strategies, and which were recommended by experts and vetted by the Professional Standards Commission. The two large changes this year are in Core Teaching Standards, the standards by which teachers prepare for the school year. This rule essentially eliminated the previous Idaho Core Teaching Standards. Rather than rewriting Idaho's standards, the Office of Certification of Professional Standards adopted the latest national iteration. The second change added the Teacher Leader Standard, which has not previously been operative in Idaho. Again, however, a national conversation is taking place on how to vet teacher leaders, to retain them without losing them to administrative jobs, to keep them where they are proficient and most useful, and to recognize them for the mastery and expertise of their profession. Therefore, the SDE has adopted this new standard from the national Teacher Leader Standards.

Vice Chairman Mortimer recommended further review with the Legislative Services Office concerning the incorporation of an entire manual.

ADJOURNED: Having no further business before the Committee, **Vice Chairman Mortimer** adjourned the meeting at 3:45 p.m. until Monday, January 14, 2013 at 3:00 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, January 14, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-------------------------------------|--|--|
| PENDING RULES | | |
| Docket No. | Rules Governing Uniformity | |
| 08-0202-1204 | Defines "Teacher Leader" and clarifies credential renewal requirements. | Luci Willits, State Board of Education |
| 08-0202-1206 | Alternate route to certification process | Tracie L. Bent, State Board of Education |
| Rules Governing Thoroughness | | |
| 08-0203-1201 | Recognition of Home Schooling | Tracie L. Bent |
| 08-0203-1202 | Adolescent relationship abuse and sexual assault | Luci Willits |
| 08-0203-1205 | Adoption of 2012 World-Class Instructional Design and Assessment (WIDA) Standards | Luci Willis |
| 08-0203-1206 | Professional Development | Luci Willis |
| 08-0203-1204 | Fee Rule: Allocation of Funds | Luci Willits |
| 08-0201-1301 | Temporary Rule: Collective bargaining and negotiations under Students Come First laws | Luci Willits |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayne |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

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MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, January 14, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee to order at 3:08 p.m., and a silent roll was taken.

PASSING OF GAVEL: **Chairman** passed the gavel to **Vice Chairman Mortimer**.

RULES REVIEW: **Vice Chairman Mortimer** reviewed the committee's progress on rules review to date. He noted discussion concerning manuals incorporated by reference on Rule 08-0202-1203. Copies have now been distributed to the committee on the State Department of Education manual, on the portion being reviewed this year, Idaho Standards for Initial Certification of Professional School Personnel, as well as the World Class Instructional Design and Assessment Consortium, English Language Development Standards. Since the manuals are lengthy and detailed, **Vice Chairman Mortimer** recommended that this rule be held until Monday. **Chairman Goedde** explained that the committee has review authority over these manuals because they are written by the State government. The Idaho Department of Vocational Field Services Manual also will be reviewed.

MOTION: **Senator Thayn** moved, seconded by **Chairman Goedde**, to approve Docket No. 08-0111-120, Idaho College Work Study Program. The motion carried by **voice vote**.

MOTION: **Senator Nonini** moved, seconded by **Senator Fulcher** to approve Docket No. 08-0111-1201, Registration of Post-Secondary Educational Institutions and Proprietary Schools. The motion carried by **voice vote**.

MOTION: **Senator Thayn** moved, seconded by **Chairman Goedde** to approve Docket No. 08-0114-1201 Idaho Rural Physician Incentive Program (Chapter Repeal). The motion carried by **voice vote**.

MOTION: **Senator Durst** moved, seconded by **Senator Nonini**, to approve Docket No. 08-0202-1201, Endorsement Revisions. The motion carried by **voice vote**.

MOTION: **Senator Thayn** moved, seconded by **Senator Pearce**, to approve Docket No. 08-0202-1202, Waiver of Mathematics In Service Program. The motion carried by **voice vote**.

DOCKET NO. 08-0202-1203 **Vice Chairman Mortimer** reminded the committee that Docket No. 08-0202-1203, Standards Revision, will be held until Tuesday, January 15, 2013 to allow additional time to review manuals incorporated by reference.

**DOCKET NO.
08-0202-1204**

Vice Chairman Mortimer next called for Docket No. 08-0202-1204, Rules Governing Uniformity, defining "Teacher Leader" and clarifying credential renewal requirements. **Lucie Willits**, State Department of Education, reminded the Committee that this is a supplemental document inadvertently omitted from the original rules bulletin. **Vice Chairman Mortimer** stated that this Docket would be held until Tuesday, January 16, 2013.

**DOCKET NO.
08-0202-1206**

Tracie L. Bent, State Board of Education, presented Docket No. 08-0202-1206, Alternate Route to Certification. **Ms. Bent** explained that the majority of changes were to revise language that had expired and been replaced by new rules in 2006. These 2006 rules allow an alternate route to public school teacher certification, rather than through a traditional route, for people with strong content knowledge. The changes specify that alternative route individuals can be considered "Teacher of Record" (TOR) for the class. The changes additionally allow that alternate route content teachers are not required to have a Bachelor's Degree as long as they had completed all requirements for the degree except for student teaching or practicum requirements. The alternative route to certification also includes those with content specialist designation.

The rule is further amended in Subsection .044 to allow an extension of time for mentoring required by the alternate route, and deletes the para-educator to teacher route because it does not meet minimum No Child Left Behind requirements. **Senator Durst** asked if other precedent exists in the current certification process that would allow someone to become TOR prior to certification. **Vice Chairman Mortimer** recognized **Christina Linder**, Director of Certification for Professional Standards, who testified that in two instances someone without full certification could be designated TOR: first, if a person possessed a provisional certificate, which is not a full Idaho certificate, and is valid for one year, one time in the classroom; and, second, a long term substitute teacher could be designated as TOR. **Senator Durst** expressed his concern in removing the Bachelor's Degree requirement. **Senator Nonini** referenced Section .044.1.a. asked if the language of this section, "must hold a Bachelor's Degree or ..." (emphasis added) was new language as well, and Ms. Bent replied affirmatively. **Vice Chairman Mortimer** recognized **Ed Hawley**, Administrator of Rules who confirmed that the word "or" probably should have been underlined.

MOTION:

Senator Pearce moved, seconded by Senator Patrick, to approve Docket No. 08-0202-1206; **Vice Chairman Mortimer** called for discussion, and **Senator Durst** requested an substitute motion.

**SUBSTITUTE
MOTION:**

Senator Durst moved, seconded by **Senator Buckner-Webb**, to approve all sections of Docket No. 08-0202-1206 with exception of changes to subsection .044. **Senator Thayn** expressed support for the original motion, pointing out that a content specialist is often the perfect person; local schools and superintendents can deal with requirements. He felt this subsection presents a justifiable exception.

Vice Chairman Mortimer called for a vote on the substitute motion. **Senators Durst and Buckner-Webb** voted in support. The substitute motion failed.

Vice Chairman Mortimer called for a vote on the original motion by **Senator Pearce**, seconded by **Senator Patrick** to approve Docket No. 08-0202-1206. The motion passed. **Senators Durst and Bucker-Webb** dissented.

**DOCKET NO.
08-0203-1201**

Vice Chairman Mortimer again recognized **Ms. Bent** to present Docket No. 08-0203-1201, Recognition of Home Schooling. This rule adds language which clearly states that a student who has been home schooled and "receives such instruction as commonly and usually taught in the public schools of the State of Idaho" will be recognized as having received a secondary education. When those students then attend a post-secondary institution, they are not required to take the GED. **Senator Pearce** indicated that he had spoken with the attorney who represents the home school community, and they support this rule.

MOTION:

Senator Pearce moved, seconded by **Senator Buckner-Webb**, to approve Docket No. 08-0203-1201, Recognition of Home Schooling. The motion passed by **voice vote**.

08-0203-1202

Luci Willits, State Department of Education, introduced Docket No. 08-0203-1202, Adolescent Relationship Abuse and Sexual Assault. **Ms. Willits** first described the lengthy vetting process before a rule comes before the legislature and explained that concern by the Idaho Coalition Against Sexual and Domestic Violence gave rise to this rule. The descriptive summary begins on p. 59; the actual change is on p. 72 which adds "adolescent relationship abuse and sexual assault prevention and response" to a list of "school climate" policies which each district in the State must have. The State does not say what that policy needs to be; it only requires that policies be in place in the stated areas.

Senator Fulcher asked **Ms. Willits** to articulate what is meant by the phrase "school climate" in this section. **Ms. Willits** explained that "school climate" is a broad topic concerning day to day operations of a school. **Chairman Goedde** asked if any school district in Idaho would likely have a similar understanding of what that term means. **Ms. Willits** answered in the affirmative, explaining that this is a phrase that has been used for at least ten years. **Chairman Goedde** pointed out that "gun-free schools" was included in the list; however **Chairman Goedde** believes that the phrase "gun-free schools" conflicts with the policy of the State of Idaho. **Chairman Goedde** noted that when the subject of arming teachers first was raised, he reviewed a code cite which allowed teachers to be armed at the direction of the trustees, and which applied to Security Resource Officers (SROs) as well. **Chairman Goedde** pointed out that our schools are not gun-free now, and so it is not an accurate statement. **Ms. Willits** responded that the language is currently active, and if the legislature wishes to make a different policy, then a change would be required in describing it to the districts. **Ms. Willits** agreed that the SDE can certainly look at clarifying the language. **Chairman Goedde** asked **Ms. Willits** to investigate this matter further before the committee votes on the rule.

Senator Patrick noted that the date "4/1/97" had been stricken from the bottom of the list of policy areas, and **Ms. Willits** confirmed that the last time changes were made was, indeed, April 1997. **Senator Patrick** stated that the number of SROs has risen, and wonders how the code cited by **Chairman Goedde** fits with this list. **Ms. Willits** restated that Section 160 only requires that schools have a policy, but does not dictate what that policy is; therefore, SROs can be an allowable policy within a given district. **Senator Nonini** asked if **Ms. Willits** was aware of policies in place now that would prohibit a student, under this rule, from having a rifle in his vehicle for after-school hunting. **Ms. Willits** offered to find an answer to that question.

Ms. Willits again reminded the committee that the requested rule change only concerned the addition of sexual abuse and assault language. **Senator Nonini** asked if the committee could only accept or reject the rule change, or if the committee had authority to reject the existing rule. **Mr. Hawley** affirmed that the committee can reject and entire section, or ask the department to write a temporary rule, which would be a preferable path. **Vice Chairman Mortimer** summarized that Section 160 affects the districts; it does not necessarily say that they must have gun-free schools, and each district has its own option of making a policy on these issues. **Senator Nonini** asked if there were districts who allowed guns in school or if they were prohibited by this "gun-free schools" phrase. **Senator Nonini** asked **Vice Chairman Mortimer** to allow presentation of additional information before voting on this rule.

**DOCKET NO.
08-0203-1206**

Vice Chairman Mortimer next called Docket No. 08-0203-1206, Professional Development, and called again on **Ms. Willits** to present. **Ms. Willits** explained that this rule was changed only to include a definition of Professional Development which heretofore had not been defined, even though the State engages actively in professional development of its educators. A discussion ensued concerning Common Core State Standards which were also referenced in this rule, and whether or not a definition of those standards existed elsewhere that would give rise to a fuller understanding of them. **Chairman Goedde** assured the committee that he would arrange a presentation on Common Core State Standards in the near future.

MOTION:

Chairman Goedde moved, seconded by **Senator Patrick**, to approve Docket No. 08-0203-1206. The motion passed by **voice vote**.

**DOCKET NO.
08-0203-1204**

Ms. Willits stated that Docket No. 08-0203-1204, fee rule, Allocation of Funds, revises the definition of the stakeholders who review curricular materials. This rule also sets forth the fee (\$60) charged to textbook publishers to handle that review. **Senator Durst** questioned whether some issue had arisen which resulted in the redefinition of the review committee. **Ms. Willits** replied that the new definition was broader and allowed more flexibility. **Vice Chairman Mortimer** then recognized **Russ Joki** from the audience. **Mr. Joki** is one of many parents who oppose fees for public education. He had no comment on this particular rule, but indicated that he would appear before the committee in the future.

MOTION:

Senator Patrick moved, seconded by **Senator Buckner-Webb**; to approve Docket No. 08-0203-1204, Fee Rule, Allocation of Funds. The motion passed by **voice vote**.

**DOCKET NO.
08-0201-1301**

Ms. Willits presented Docket No. 08-0201-1301, temporary rule, Collective Bargaining and Negotiations under Students Come First laws. She stated that because the voters repealed the Students Come First laws in November 2012, the language concerning collective bargaining and negotiations was no longer relevant and needed to be removed.

MOTION:

Senator Durst moved, seconded by **Senator Thayn**, to approve Docket No. 08-0201-1301, temporary rule, Collective Bargaining and Negotiations under Students Come First Laws. The motion passed by **voice vote**.

**PASSING OF
GAVEL:**

Vice Chairman Mortimer passed the gavel to **Chairman Goedde**.

ADJOURNED:

Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:17 p.m. until Tuesday, January 15, 2013 at 3:00 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, January 15, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-------------------------------------|--|--|
| PENDING RULES CARRIED OVER | | |
| <u>08-0202-1203</u> | Standards Review; manuals incorporated by reference | Luci Willits |
| <u>08-0202-1204</u> | "Teacher Leader" and credential renewal requirements | Luci Willits |
| <u>08-0203-1202</u> | Adolescent relationship abuse and sexual assault | Luci Willits |
| <u>08-0203-1205</u> | Adoption of 2012 World-Class Instructional Design and Assessment (WIDA) Standards | Luci Willits |
| PENDING RULES (NEW) | | |
| <u>08-0204-1201</u> | Rules Governing Public Charter Schools Legislative and technical changes | Tamara Baysinger State Board of Education |
| <u>08-0301-1201</u> | Rules of the Public Charter School Commission Legislative and technical changes | Tamara Baysinger |
| <u>08-0301-1201</u> | Rules of the Idaho Division of Vocational Rehabilitation Mediation and formal hearing process clarification; Idaho Department of Vocational Rehabilitation (IDVR) Field Service Manual incorporated by reference. http://www.boardofed.idaho.gov/incorporated_documents/documents/idvr_field_services_manual_1112.pdf | Tracie L. Bent State Board of Education |
| <u>08-0203-1203</u> | Rules Governing Thoroughness Online courses and math requirements for graduation | Luci Willits State Board of Education |
| <u>08-0202-1205</u> | Discussion: Teacher and Principal Evaluations | Luci Willits |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Tuesday, January 15, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the meeting to order at 3:02 p.m. and a silent roll was taken. He then called attention of the committee to several documents in their folders pertaining to the Idaho Attorney General opinions on questions remaining after repeal of the Students Come First laws, as well as information as to who is allowed to have weapons in schools.

PASSED THE GAVEL: **Chairman Goedde** passed the gavel to **Vice Chairman Mortimer**.

RULES REVIEW: **Vice Chairman Mortimer** suggested rules review begin by revisiting items held from January 14, 2013.

DOCKET NO. 08-0202-1203 **Luci Willits**, State Department of Education (SDE), briefly described how the SDE is allowed to incorporate manuals by reference, especially those of large size. The language is reviewed by both the State Board of Education (SBE) and the Professional Standards Commission (PSC) They review twenty percent of the manuals each year. This year's review concerns (1) teacher preparation and certification, and (2) teacher ethics.

The new changes primarily dealt with adjustments in Common Core State Standards (CCSS), and were adopted from the Council of Chief State Officers based on principles developed by the Interstate Teacher Assessment Support Consortium (INTASC) to address the absence of new standards for K-12 teachers since 1992. Most of these standards were basic and did not need to be rewritten for Idaho. All standards adopted nationally by INTASC were included. In addition, "teacher leader" standards are new and important, and recognize teachers who excel at their profession. These standards also are included in the manual.

Vice Chairman Mortimer introduced **Christina Linder**, Idaho State Department of Education Director of Certification and Standards who addressed several questions of the committee. She stated that the new standards apply both to traditional and alternate forms of certification. Alternate forms of certification are effective and have been vetted by the Professional Standards Authorization Committee. **Ms. Linder** stated that the manual is used by administrators to determine standards for employment; and while not given to new teachers, the manual is available online.

Senator Nonini expressed concern with portions relating to world language. He questioned how an institution might prepare teachers to educate students about cultures which possibly are hostile to the United States and western views. He was concerned with the freedom given to a university professor under the current standards to teach hatred of the United States using the veil of cultural sensitivity. **Chairman Goedde** agreed that flexibility could allow objectionable views on an individual basis. Both **Ms. Willits** and **Ms. Linder** agreed to supply more information to the committee, and **Chairman Goedde** suggested that action on this rule be postponed until that information was obtained.

**DOCKET NO.
08-0202-1204**

Ms. Willits stated that changes under this rule dealt with three major categories: (1) the Mathematical Thinking for Instruction course; (2) the definition of "Master Teacher"; and (3) clarification of various certificates pertaining to early childhood education. **Senator Durst** questioned if the designation of "Master Teacher" might put rural schools at a compliance disadvantage due to lack of an adequate teacher pool. **Ms. Willits** replied that this rule has existed for some time. Master Teachers are not required, but districts should encourage teachers to enhance their abilities. **Ms. Linder** stated that the designation of "Master Teacher" also would require a master's degree for which teachers would be properly recognized.

MOTION:

Chairman Goedde moved, seconded by **Senator Buckner-Webb**, to approve Docket No. 08-0202-1204. The motion carried by **voice vote**.

**DOCKET NO.
08-0203-1202**

Ms. Willits explained that this rule change inserted language pertaining to adolescent relationship abuse and sexual assault prevention and would require all school districts to create a specific policy in their individual districts as part of "school climate" which was discussed in depth on January 14, 2013. As requested by the committee, **Ms. Willits** continues to collect information on "gun-free schools" also iterated under this section.

MOTION:

Senator Durst moved, seconded by **Senator Nonini**, to approve Docket No. 08-0203-1202. The motion carried by **voice vote**.

**DOCKET NO.
08-0203-1205**

Ms. Willits introduced the rule pertaining to the Adoption of 2012 World-Class Instructional Design and Assessment (WIDA) Standards, another manual incorporated by reference. WIDA, similar to PSC was created by an outside agency, The Wisconsin Center for Educational Research with the help of teachers. The WIDA details the goals expected of teachers and how they go about achieving these goals. SBE deemed these standards adequate for Idaho and made no changes. **Senator Thayn** asked about the relationship between WIDA and CCSS. **Ms. Willits** advised that the WIDA standards need to be consistent with CCSS. She introduced **Nicole Hall**, Assessment Coordinator for the SDE who further advised that training for these standards, funded from Title III, begins in February and concludes in April. The training occurs primarily in larger school districts, and those trained this year will train others next year.

MOTION:

Senator Durst moved, seconded by **Chairman Goedde**, to adopt Docket No. 08-0203-1205. The motion carried by **voice vote**.

**DOCKET NO.
08-0204-1201**

Tamara Baysinger, Director for Public Charter School Commission, explained the changes to the rules, definitions and requirements governing public charter schools. These changes were enacted to ensure that more clarity and understanding was available to petitioners for public charter schools and to reduce redundancy in application process. All of these changes were enacted with the goal of producing more public charter schools. After a detailed review of each change, **Ms. Baysinger** stated that most changes reflected statutory changes. She confirmed that the appeals process would require a charter school applicant to start over if the appeals process failed. She also confirmed that charter schools had been given a chance to comment on the changes, but no one had responded.

MOTION: **Senator Thayne** moved, seconded by **Chairman Goedde**, to approve Docket No. 08-0204-1201. The motion carried by **voice vote**, with **Senators Nonini, Durst** and **Buckner-Webb** dissenting.

DOCKET NO. 08-0301-1201 **Ms. Baysinger** noted that the changes in this rule governing the Public Charter School Commission were directed toward reducing waste and providing clarity to potential petitioners of public charter schools. The changes also streamline the application process. **Chairman Goedde, Vice Chairman Mortimer** and **Senator Fulcher** asked several clarifying questions. One substantive change no longer requires the charter school authorizer to collect evidence that the public charter school is in compliance with local, state and federal law. Instead they must only be required to show evidence that the charter complies with all laws if requested to do so.

Ms. Baysinger further stated that new items were included in the petition to ensure that inexperienced individuals petitioning the Commission as a board understand all of the ethical standards required of them and have a plan to use them. She hopes to make these standards more accessible to the public as well. Ethical standards exist for educators in general, but charter school boards generally are closer to operations of school than a district board. **Ms. Sylvester**, a citizen, came forward to explain that members of local school districts are elected, and as such, they must follow the ethics of an elected official. Members of a charter school board, on the other hand, are self appointed or appointed by elections within the school itself. **Senator Fulcher** questioned what would happen if an entity provided a description of ethical standards which the Commission found inappropriate. **Ms. Baysinger** said the goal would be to find common ground between the Commission and the petitioner. The statute leaves open the reasons authorizers can deny a petition, but the action would have to be egregious.

Chairman Goedde asked if the amended rules made a burden on a charter to report budget in Idaho Financial Accounting Reporting Management System (IFARMS) and then report to the Commission in a different format. **Ms. Baysinger** explained that the purpose of the request allows the Commission and the school to look at the budget more like a business than a school since public charter schools are very similar to small businesses.

MOTION: **Chairman Goedde** moved, seconded by **Senator Thayne**, to approve **Docket No. 08-0301-1201**. The motion carried by **voice vote**.

DOCKET NO. 47-0101-1202 **Senator Durst** noted that this rule had been incorrectly cited on the Agenda. **Vice Chairman Mortimer** therefore held discussion until the following day.

DOCKET NO. 08-0203-1203 **Chairman Goedde** informed the committee that he had requested information from the SBE pertaining to this rule and had not yet received it. He suggested that the rule be heard, but a vote postponed until he had received a letter from the SBE. **Vice Chairman Mortimer** agreed. **Ms. Willits** stated that Docket No. 08-0203-1203 deals with online and mathematics course requirements. Even though they are two separate items, they have been merged into one rule. The online course requirement for graduation has been deleted in accordance with Proposition 3's failure last November. Wording has been added to the current mathematics rule to allow students, who had exhausted all avenues of math courses, exemption from math in their senior year as is now required. The timing for this temporary rule is important since this is the first year for new math and science requirements.

Chairman Goedde believes this rule should be rejected as he is a supporter of online requirements. He explained the original rule had an asynchronous requirement which was opposed by many people. If the proposed rule were rejected, this part of the original rule would come back into play. He hoped that the SBE would respond to his request for more detail in writing. He would recommend approval of the rule if certain wording in the letter was met. **Senator Durst** expressed opposition to the rule requiring online education. **Ms. Willits** acknowledged **Chairman Goedde's** desire to wait on voting until the SBE presented more detail to the committee.

**DOCKET NO.
08-0202-1205**

Ms. Willits presented Docket No. 08-0202-1205, concerning teacher and principal evaluations, and explained that the State Department of Education values teacher and principal evaluations a great deal. The rule in question would extend this standardized evaluation process to administrators with some changes made in response to the November 2012 elections. **Chairman Goedde** noted that the opposition to this rule stemmed from the requirement of administrators to show proof of competency in teacher evaluations. These administrators vociferously debated the rule, but it was something that **Chairman Goedde** felt must be present in an education system. **Rob Winslow**, Executive Director of the Idaho Association of School Administrators, explained some of the rule's history. Several superintendents had problems with the rule. To address this, **Mr. Winslow** wrote a letter detailing to those concerned that some problems had been noticed and requesting that all parties involved would work together to ameliorate them. **Mr. Winslow** explained that some problems dealt with the Idaho Standards Achievement Test (ISAT), since it was difficult to measure effectiveness of teachers whose students do not take the test, yet the federal government requires the ISAT be involved to some degree. Also, the evaluation of performance needed to more clearly state evidence by which it could be measured, especially for administrators. It was not clear how the Danielson framework for teacher evaluation would fit in with administrator evaluation. Several additional problems dealing with learning plans, formative observations and State Department approval were mentioned. **Chairman Goedde** stated that this effort must move forward and he looked forward to receiving more information.

**PASSED THE
GAVEL:**

Vice Chairman Mortimer passed the gavel to **Chairman Goedde**.

ADJOURNED:

Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:58 p.m. until Wednesday, January 16, 2013.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, January 16, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------------|---|---|
| Minutes | Approval of Minutes 1/8/2013 | Senator Buckner-Webb |
| Presentation | Idaho WWAMI Medical Education Office | Mary Barinaga, MD |
| Presentation | Legislative Budget | Paul Headley |
| | PENDING RULES REVIEW (CARRIED OVER) | |
| 47-0101-1202 | Rules of the Idaho Division of Vocational Rehabilitation Mediation and formal hearing process clarification; Idaho Department of Vocational Rehabilitation (IDVR) Field Service Manual incorporated by reference. http://www.boardofed.idaho.gov/incorporated_documents/documents/idvr_field_services_manual_1112.pdf | Tracie L. Bent, State Board of Education |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Wednesday, January 16, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** convened the meeting at 3:03 p.m., and a silent roll was taken.

MOTION: Motion by **Senator Buckner-Webb** to approve Education Committee Minutes dated January 8, 2013; seconded by **Vice Chairman Mortimer**. The motion carried by **voice vote**.

PRESENTATION: **Chairman Goedde** then welcomed **Dr. Mary Barinaga**, Assistant Clinical Dean for Regional Affairs and Idaho WWAMI Clinical Medical Education Coordinator. After reviewing her educational and professional background, **Dr. Barinaga** introduced WWAMI, a five-state regional medical education program covering Washington, Wyoming, Alaska, Montana and Idaho in partnership with the University of Washington. The goals and successes of WWAMI's program over its 40 year history are detailed in **Dr. Barinaga's** PowerPoint presentation which is attached and incorporated by reference. She noted an important component of this program is called TRUST, Targeted Rural Under-Served Track, to identify applicants who are from rural, under-served backgrounds and then match them in rural, under-served communities in Idaho during the clinical phases of training.

Senator Nonini asked about the requirement of some WWAMI states for students to return and practice in their home state. Idaho does not have that requirement. **Dr. Barinaga's** concern is that a return requirement could result in fewer applicants, as has been the case in Alaska and Wyoming. **Dr. Barinaga** added that one aspect of WWAMI in Idaho requires that each student pay \$1600 per year into a Rural Physician's Retention Fund. Then, anyone who returns to Idaho to practice can apply to this fund for up to \$50,000 for student loan repayment. This program has been the alternative "carrot" rather than a requirement "stick."

Senator Pearce asked several questions concerning Idaho enrollments as compared to other states. **Dr. Barinaga** stated that it is more difficult to get into medical school as an Idaho resident than for any adjoining state. Wyoming currently accepts approximately 50 per cent of applicants. In contrast, Idaho had 158 applicants this year for 20 openings. WWAMI's goal is to increase the number of participating students from 20 to 25 in fiscal year 2014.

Since the four-year cost is approximately \$800,000 per student, **Vice Chairman Mortimer** questioned the value of increasing WWAMI's enrollment rather than simply recruiting more doctors to the State. **Dr. Barinaga** pointed out that hospitals also spend money to recruit doctors to the State. On the other hand, if you train a physician in the State and they stay in the State, then you do not need to spent recruitment dollars at all. Furthermore, the TRUST program targets rural under-served areas which might not see a benefit from mere recruitment. **Dr. Barinaga** pointed out variables beyond the State's control, such as a medical student marrying and moving to another state, but that can just as easily happen in reverse. **Chairman Goedde** thanked **Dr. Barinaga** for her presentation. He will present before the Joint Finance and Appropriations Committee and make recommendations on where money might be spent. WWAMI will be one program under consideration.

PRESENTATION: **Chairman Goedde** next introduced **Paul Headlee** from the Legislative Services Office, Budget and Policy Analysis Division, with a look at the fiscal impact of Propositions 1, 2, and 3. **Mr. Headlee's** in-depth report is well summarized in his handouts, which are attached hereto and incorporated by reference. Propositions 1, 2 and 3 created a Net Amount Remaining in Appropriation of \$30.6 million. In his presentation, **Mr. Headlee** posited three options for these funds. The first option is to take no further legislative action, in which case, the \$30.6 million remains in the appropriation until the end-of-year reconciliation in June 2013. If funds remain after the reconciliation, then those remaining funds are transferred into the Public Education Stabilization Fund (PESF).

However, Propositions 1, 2, and 3 repealed \$37.4 million of funding disbursements to school districts in the 2012-2013 school year. These included cuts to Staffing Flexibility (Use it/Lose it Provision), Dual Credit for Early Completers Program, funding for additional math and science teachers, refreezing of education credits on salary table, as well as the second distribution on classroom technology.

Option 2 would involve legislative action to distribute the \$30.6 million (Net Amount Remaining in Appropriation) to school districts in fiscal year (FY) 2013 to remedy the funding deficit disbursements of \$37.4 million repealed by Propositions 1, 2 and 3.

Option 3 would involve legislative action to redirect the \$30.6 million for purposes other than public schools. This option would require a two-thirds majority vote by the Joint Finance And Appropriations Committee (JFAC) to reopen the FY 2013 public schools budget. However, **Mr. Headlee** cautioned that the \$30.6 million are one-time dollars and represent a savings in the public schools budget. If they are used for an ongoing budget item, then those dollars will need to be found again in the future.

Questions from **Chairman Goedde**, **Vice Chairman Mortimer** and **Senators Nonini** and **Patrick** flushed out specific details on various numbers in these three options. **Chairman Goedde** noted that government accounting can be deceiving. **Mr. John Hancock** will also present with a slightly different interpretation.

**PASSED THE
GAVEL:**

Chairman Goedde passed the gavel to **Vice Chairman Mortimer** for continuation of rules review.

**DOCKET NO.
47-0202-1202**

Tracie L. Bent, State Board of Education, presented Docket No. 47-0202-1202 Rules of the Idaho Division of Vocational Rehabilitation, which clarifies mediation and formal hearing processes, and also incorporates by reference the Division's Field Service Manual. **Ms. Bent** stated that the changes generally concern due process. Some changes simply redefine a designation, such as "client" to "customer", "informal hearing" to "informal review" and are incorporated throughout the rule for consistency. This rule also clarifies the appeals process, the time line involved, and the right to representation. After a detailed review of various subsections, **Vice Chairman Mortimer** stated that the committee would not take a voice vote today, as he wishes to review the manual which can be found online.

**PASSED THE
GAVEL:**

Having completed rules review for the day, **Vice Chairman Mortimer** passed the gavel to **Chairman Goedde**.

ADJOURNED:

There being no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:34 p.m., until Thursday, January 17, 2013 at 3:00 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, January 17, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|----------------|--|--|
| Presentation | Compass Academy Magnet School | |
| Presentation | 2013 Budget: Reform Repeal Worksheet | Jason Hancock State Department of Education |
| Presentation | Workforce Issues Affecting Public School Teachers | Rakesh Mohan Office of Performance Evaluation |
| Presentation | Public School Finance | Timothy Hill, Deputy Superintendent State Dept of Education |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Thursday, January 17, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the committee to order at 3:04 p.m., and a silent roll was taken.

PRESENTATION: **Chairman Goedde** introduced Jason Hancock, Department of Education, to present an alternative view of the impact of Propositions 1, 2 and 3, and what to do with the \$30.6 million left in the budget. His numbers are slightly different than those presented by Paul Headlee, Legislative Services, Office of Budget and Policy, and represent not so much a change of the numbers, but a different way of looking at them from strictly a school district perspective. His handouts, therefore, eliminate reference to spending by the State, and focus only on spending by school districts. Referencing Mr. Headlee's "Option 2" and look at its impact on school districts, the impact of restoring the second half of the technology distribution, restoring dual credit, restoring math and science, restoring "use it or lose" it flexibility and reinstating the unfreezing of education credits, and do nothing else, you end up with an additional \$14.8 million distributed to school districts than what was assumed when they set their budgets in June 2012.

Vice Chairman Mortimer summarized that what the Legislature is doing as a result of the Proposition 1, 2 and 3 repeal is that Use It or Lose It is not going out to the districts; the freeze is being kept in place, and that is the net effect. **Mr. Hancock** explained that his purpose has been to put together scenarios to answer questions from various people, and Superintendent Luna will likely lay out his ideas. **Chairman Goedde** thanked Mr. Hancock for his perspective.

PRESENTATION: **House Representative Trujillo** introduced District 91 Superintendent Goerge Boland, who, in turn, introduced Matthew Bertasso, Director of Compass Academy. Compass Academy is part of the New Tech Network, an organization that helps redesign schools all over the country from a traditional method of education into one that is innovative and better suited for the 21st Century. Compass Academy utilizes a project-based mode of instruction in which students interact and collaborate for projects, and then present the concepts learned in those projects. This model provides accountability between the students who hold each other to a "contract" to complete the group project. Two teachers in each classroom help guide the projects, which are often designed in the student groups. All work is done on laptops, which the school provides, at a cost of about \$900-1000 per student. Little damage has occurred, and was almost exclusively accidental. Curriculum parallels traditional teaching methods, but differs too: Related subjects are paired together into one course, such as History-English so that students learn the relationship of what they are learning to how that information applies in real world understanding. Grades are based on content learned, but also on collaboration, communication and

cooperation. Students are recruited by open application to match demographics of the area, including those with disabilities. Currently Compass Academy serves 300 students in ninth and tenth grades. A new grade will be added each year, until it is a full functioning high school. **Chairman Goedde** invited Mr. Bertasso to visit again via the internet so that the committee can experience students and teachers in action.

PRESENTATION: **Chairman Goedde** next introduced Tim Hill, State Department of Education, to present "Education Funding 101" and the process by which education is funded. **Mr. Hill** explained that education is a service industry with operation costs just like any other business. The largest percentage of its budget, 85 percent, goes to salaries and benefits. Therefore, distribution methods have been put in place to equitably distribute available funds. These funds come from four primary sources: the state's general fund which is supplemented by state dedicated funds, federal funds, and local funds such as property taxes. For fiscal year (FY) 2013, \$1,966,813,100 (\$1.97 billion) was appropriated.

Average Daily Attendance (ADA) drives the allocation of appropriated funds, and is calculated from public school data submitted to the State Department of Education monthly. For funding purposes, two calculations are most important: 1) from the first day of school to the first Friday in November, and 2) the best 28 weeks of attendance in the school year.

ADA is then converted into Support Units (divisors), taking into consideration the size of the school district or charter school's attendance categories. Smaller schools will require less ADA to generate a support unit, and larger schools will require greater ADA to generate a support unit because smaller class sizes still require full-time staffing costs. Grade category is an additional factor in distributing funds. For example, funds of \$2,000 per kindergarten student ADA represents a divisor of 40, while \$6,700 per secondary ADA represents a divisor of 12.

Support Units based on the first reporting period are used to calculate salary and benefit apportionment. Support Units based on the best 28 weeks are used to calculate discretionary funds. An additional Experience and Education Multiplier index is also used and is the primary variable in determining a school district's or charter school's support unit value. For each Support Unit, the additional staff allowance ratios are used to calculate staff allowance.

Base salary for each category, as well as the minimum instructional salary, are reviewed and set by the legislature each session. A school district's or charter school's salary apportionment is basically: Support Units x Staff Allowance Ratio x Index (except Classified x Base Salary). Benefit apportionment equals 18.04 percent of salary apportionment and is based on the Public Employee Retirement System of Idaho (PERSI) and Federal Insurance Contribution Act (FICA).

In summary, the amount per ADA that a school district or charter school receives is generally based on size (ADA), student mix (grades served) and staff hired (experience and education multiplier). The most influential factor of these is ADA, based on attendance from the first day of instruction to the first Friday in November.

For more detail, please see the attached summary and charts incorporated herein by reference.

ADJOURNED: Being no further business before the committee, **Chairman Goedde** adjourned the meeting at 5:07 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, January 21, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-------------------------|--|---|
| RS21755 | Ends pilot phase for Mastery Advancement Program | Senator Durst |
| RS21679 | To amend Idaho Code governing state scholarship programs | Marilyn Whitney State Board of Education |
| Presentation | Educator Effectiveness Policies | Michelle Exstrom, Education Program Director, National Conference of State Legislatures |
| Presentation | Higher Education Policy | Julie Davis Bell, National Conference of State Legislatures |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
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MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, January 21, 2013

TIME: 3:00 P.M.

PLACE: WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** convened the meeting at 3:05 p.m. and a silent roll was taken.

RS 21755 **Senators Durst and Thayn** presented RS 21755, which amends *Section 33-1620, Idaho Code*, to remove reference to a pilot program and to remove unnecessary language limiting the availability to school districts and the duration of the program; and repealing Section 7, Chapter 275, Laws of 2010. There will be little or no negative impact to the State General Fund. Impact to the General Fund will be positive if the following assumptions are met:

1. ADA at \$4,593.51
2. 1,000 to 1,500 seniors participate in the pilot project
3. 5 percent early graduation = \$65,000 to \$97,000 in savings to the General Fund
4. 10 percent early graduation = \$130,000 to \$195,000 in savings to the General Fund
5. 20 percent early graduation = \$260,000 to \$390,000 in savings to the General Fund
6. 30 percent early graduation = \$390,000 to \$585,000 in savings to the General Fund.

MOTION: **Senator Nonini** moved, seconded by **Senator Patrick**, to send RS 21755 to print. The motion carried by **voice vote**.

RS 21679 **Chairman Goedde** introduced **Ms. Marilyn Whitney**, President of the State Board of Education, to present RS 21679, which amends the Idaho Code governing state scholarship programs to ensure programs are relevant and effective in assisting Idaho students in completing post-secondary education and to streamline and improve efficiency of program administration. **Senator Nonini** questioned the language on page 4, Section 6, which appeared to be new rather than modified. **Ms. Whitney** explained that all programs were moved into Chapter 43, rather than being separated into the previous three chapters (43, 44 and 45).

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Fulcher**, to send RS 21679 to print. The motion carried by **voice vote**.

PRESENTATION: **Chairman Goedde** introduced **Ms. Michelle Exstrom**, Education Program Director, National Conference of State Legislatures (NCSL), who presented a Legislator's Guide to Educator Effectiveness, including recommendations for preparing effective educators; licensing; recruiting and retaining effective educators; induction; mentoring; professional learning options; and evaluation studies via Measures of Effective Teaching (MET); as well as MET Study 2013 Findings.

A question-and-answer period ensued. **Chairman Goedde** asked if the University of Idaho participated in the program and if the testing includes a portfolio for newly graduated teachers to use when applying for a teaching job. **Ms. Exstrom** answered in the affirmative. **Senator Patrick** asked if attitude and personality can be measured with the present testing system. **Ms. Exstrom** said that these qualities can be measured. **Senator Nonini** addressed the problems found with the rural teachers' Science, Technology, Engineering and Math (STEM) program and the difficulty in establishing a lettering program to recognize students. **Ms. Exstrom** said they are working with the national organization to make this program more effective. **Senator Durst** asked if teacher working conditions and classroom size were being evaluated. **Ms. Exstrom** answered affirmatively. She cited Alabama who found that working conditions, not bonuses, were more important to teachers. She also said most states lose teachers in the first three years.

In answer to a question posed by **Chairman Goedde**, **Ms. Exstrom** said many states are using the Danielson model as an evaluation tool. **Senator Durst** asked if specific factors are available to predict effectiveness. **Ms. Exstrom** replied that measuring educators over a three-year period will predict effectiveness. She explained how the MET Study 2013 findings can be measured.

Senator Buckner-Webb asked if teachers have input on their evaluations. **Ms. Exstrom** said they do, and they are also provided resources when scores need to be improved. **Senator Thayn** asked if the policies would require additional funding. **Ms. Exstrom** replied that most states have adapted the policies without incurring additional state funding by taking advantage of federal funding and/or eliminating inefficiencies in their current programs.

Chairman Goedde thanked **Ms. Exstrom** for her presentation and introduced the next presenter, **Julie Davis Bell**, NCSL Education Program.

PRESENTATION: **Ms. Bell's** presentation, entitled "State Legislatures and Higher Education Policy," emphasized the growing legislative interest in higher education, primarily due to the recent recession, as well as competition from online learning and private entities. **Ms. Bell** stressed that higher education is viewed by most states as an investment to help economic development. Outlining 2012 activities, **Ms. Bell** also spoke of the focus on productivity, which includes improving completion rates, eliminating duplicate and inefficient programs, improving high school rigor and college readiness, and performance funding.

Ms. Bell also outlined goals for 2013, including new funding and privatization strategies, incentives for students to move through the system quicker, promoting collaboration among institutions, financial assistance, community colleges and state obligation to provide higher education.

Senator Thayn asked if there is increasing interest in professional technical training and subsequent jobs. **Ms. Bell** said there is a growing interest in technical training. **Chairman Goedde** thanked **Ms. Bell** for her presentation.

ADJOURNED: There being no further business to come before the committee, **Chairman Goedde** adjourned the meeting at 4:25 p.m. until Tuesday, January 22, 2013 at 3:00 p.m.

Sentor Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, January 22, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|----------------|---------------------------|--------------------------------|
| Presentation | College of Southern Idaho | Dr. Gerald Beck, President |
| Presentation | College of Western Idaho | Dr. Bert Glandon, President |
| Presentation | North Idaho College | Dr. Joe Dunlap, President |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

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MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Tuesday, January 22, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
- ABSENT/ EXCUSED:**
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** called the meeting to order at 03:02 p.m., and a silent roll was taken.
- Chairman Goedde** explained that the community college presentation would take place as a forum, with all three presenters communicating with the committee, and the committee asking questions as necessary. **Chairman Goedde** introduced **Dr. Gerald Beck**, President of the College of Southern Idaho (CSI), **Dr. Bert Glandon**, President of the College of Western Idaho (CWI), and **Dr. Joe Dunlap**, President of North Idaho College (NIC).
- PRESENTATION:** **Presidents Beck, Glandon, and Dunlap** began by discussing various facts and figures for their institutions, noting that all had experienced a great deal of growth in the past few years. All felt growth may slow as the economy rebounds, causing some to choose work over education. All three gentlemen stated that the goal of the schools was to expand the number of people trained to work in today's economy and suggested that some changes in funding were needed to reflect those economic changes. Each president explained that costs varied at their respective institutions due to costs incurred by the facilities, but noted that technical outreach programs were very expensive, significantly more so than general education. Balanced budgets have been difficult to maintain but were becoming less restrictive. The amount paid by students has increased as state funding has decreased. Furthermore, finances change yearly to adapt to local and national changes. Even though the amount charged to students has risen, it was stressed that demand for education was greater than each school could afford.
- President Beck** focused on the new enterprises in Twin Falls, such as Chobani, and the desire of CSI to ensure that these businesses have the staff needed to ensure efficient operations. He further explained that the federal government gives most schools a great deal of flexibility when choosing which programs to fund, as long as those programs are below Bachelors degree levels and lead to employment. Although federal funds are received, this amounts to only 14 per cent of the total budget, and does not cover all that it is needed, causing schools to subsidize their own programs. He also noted that statistics were misleading since the goal of community colleges is to employ people, even if they do not graduate with degrees or stay for multiple years. Those most likely to stay and obtain degrees were students taking dual credit courses before college.

The funding for technical programs is difficult to procure, yet those funds are needed. Nonetheless, community colleges have continued to expand their technical education programs. There was agreement among all presenters that articulation and transfer of credits from their colleges to the state universities is currently good, but could be improved. This improvement would require university assistance to ensure credits matched university course requirements. **President Beck** encouraged the Education Committee to emphasize to state universities the importance of producing uniform standards.

President Glandon shared that CWI has one division committed solely to forming relationships between businesses in Idaho and the college. He noted that CSI and NIC have similar programs. These divisions ensure that education matches what businesses need. However, many workforce decisions concerning employment are made by businesses outside of the state, making it difficult for community colleges to respond; however, they do try to respond quickly.

President Dunlap detailed the operations of NIC, noting that it was the oldest school in the State and consequently is limited in its operations. Three newer outreach facilities help mitigate the limits imposed by NIC's smaller, aging facilities, thereby enabling outreach to rural students. These outreach facilities cost more to maintain. The technical programs taught there receive funding through property taxes and liquor sales, based solely on the location of the main campus, which causes disproportionate strain on that county to also serve surrounding counties who pay no portion of funding. The solution may be a difficult one. Other states charge more for technical programs than general education programs in an effort to solve the imbalance. Idaho does not currently charge differential rates and could consider this solution.

ADJOURNED: Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:20 p.m., until Wednesday, January 23, 2013 at 3:00 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, January 23, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|----------------|---------------------------|----------------------------------|
| PRESENTATION | IDAHO STATE UNIVERSITY | Dr. Arthur Vailas, President |
| PRESENTATION | UNIVERSITY OF IDAHO | Dr. Duane Nellis, President |
| PRESENTATION | LEWIS-CLARK STATE COLLEGE | Dr. Tony Fernandez, President |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

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MINUTES
SENATE EDUCATION COMMITTEE

DATE: Wednesday, January 23, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** convened the Education Committee at 3:09 p.m., and a silent roll was taken. He announced that the committee would hear presentations from three of Idaho's four-year institutions.

PRESENTATION: **Dr. Arthur Vailas**, President of Idaho State University (ISU), began with a brief overview. ISU is a comprehensive research university, which holds a national rating of "Research High." In the last academic year, they enrolled 19,288 students which represented a 3.5 percent increase over the previous year, and served a wide variety of locations throughout the state. Thirty-eight to 40 percent of all degrees awarded are in the health professions. ISU also boasts residency programs in both family practice and dentistry. ISU works closely with high schools, citing examples of students who simultaneously graduated high school and received an associate degree. The faculty in high schools who teach dual degree students also are affiliate faculty at the university.

ISU offers several unique programs which require sophisticated resources. ISU has requested funds from the legislature and the governor to provide an integrated facility for anatomy and physiology which can be utilized by other state agencies, such as the fire department, state police, emergency workers and others, thus providing a cost saving for services normally sought elsewhere.

Senator Thayn asked clarifying questions about the percentage of degrees in the medical area. **President Vailas** stated that ISU's medical degrees comprise about half of all undergraduate, graduate and professional-technical degrees. **Senator Thayn** also asked about dual enrollment and whether teachers earn extra money for teaching at both the high school and college level. **President Vailas** replied that teachers receive a stipend, but, more importantly, the dual education program identifies teachers with whom the college administrators and faculty are comfortable. This results in instructional alignment so that college is not "a surprise" to graduating high school seniors. **President Vailas** also believes the program aids in the recruitment and retention of teachers.

Vice Chairman Mortimer asked President Vailas about the percentage of online instruction at ISU. **President Vailas** replied that a few years ago, the percentage was about eight percent. Today, that percentage has grown to about 30 percent. This growth has led to an online experience requirement for all new faculty hires. **Vice Chairman Mortimer** asked if Professional Technical Education (PTE) courses cost the same as academic courses and **President Vailas** replied affirmatively. **Vice President Mortimer** asked about expenditures for deferred maintenance in the past four years. **President Valais** agreed to provide that information and added that ISU one of the few who is reducing its debt and has made significant reductions. **Chairman Goedde** asked what percentage of incoming freshmen need remediation. **President Vailas** replied that approximately 40 percent of students need remedial education, and felt it was a "real problem." **Chairman Goedde** thanked President Vailas, and introduced the next speaker.

PRESENTATION: **Dr. Duane Nellis**, President of the University of Idaho (UI), opened his remarks by stating that UI is nationally recognized as a research facility and delivers one of the best educational opportunities in the Pacific Northwest. UI is the state's first university, created in 1889. Today UI serves 13,000 students. One-third of the freshmen are the first in their family to attend college which is very important in meeting the state's goal of 60 percent of Idahoans between ages 25-34 being college-educated by 2020. UI boasts 70 locations around the state, including research centers, extension offices, campus centers in Moscow, Coeur d'Alene, Boise and Idaho Falls. Over 500,000 people per year are directly impacted by UI and its programs. UI encompasses nine colleges in the areas of business, economics, engineering, education, law, veterinary medicine, agricultural, architecture, and others, which have won numerous national awards and produced many national leaders. UI participates in the WWAMI (Washington, Wyoming, Alaska, Montana, Idaho) medical training program, providing first year training to twenty students per year. **Dr. Nellis** provided several samples of innovative research products that have recently been produced at UI. In sum, UI has been ranked among the top 33 universities in the nation; Princeton Review ranks UI in the top 15 percent of over 4,000 universities. **Dr. Nellis** stressed the importance of increasing employee compensation in order to retain its outstanding faculty who are constantly recruited by other states. In addition, **Dr. Nellis** seeks support for the College of Law to bring second year students to Boise, as well as support for the Rangeland Center and an integrated research facility.

Senator Pearce referenced an article that criticized UI for doubling in the size of its law school in Boise when graduating students are not finding work Idaho, and he asked Dr. Nellis for comment. **Dr. Nellis** replied that applications for law school have decreased, and the economy has hurt the traditional placement of lawyers. However, he stressed that one-third of law school graduates obtain jobs in business. He feels that Idaho needs the presence of legal education in the Treasure Valley, and in the state's Capitol to help business and public law.

Vice Chairman Mortimer asked Dr. Nellis for UI's four-year expenditure in deferred maintenance, and **Dr. Nellis** replied that \$8 million was the current figure. He stated that UI is emphasizing online courses and would supply data at a later time. **Chairman Goedde** asked about the percentage of incoming students needing remediation. **Dr. Nellis** replied that UI's students generally come well prepared, and remediation numbers are small. **Dr. Nellis** also emphasized UI's commitment to professional development and certification.

Dr. Nellis closed by restating his passion for UI and the contributions made to Idaho, and to higher education. **Chairman Goedde** thanked Dr. Nellis and introduced the next speaker.

PRESENTATION: Dr. Tony Fernandez, President of Lewis-Clark State College (LCSC), introduced LCSC with a bit of history: LCSC is the second oldest public supported institution in Idaho, founded in 1893. LCSC is a four-year institution with an embedded community college function, similar to ISU. The majority of LCSC's students earn bachelor's degrees. **Dr. Fernandez** stated that LCSC's primary areas of emphasis are arts and sciences, business, justice studies, nursing, professional technical, social work and teacher education. LCSC serves almost every county in the state, and enrolls approximately 6,000 students including both academic and PTE studies. Additionally, approximately 1,500 high school students take college courses through the dual enrollment program. The vast majority of LCSC's 90,000 student credit hours per year are taught by full-time faculty. Full-time faculty members have increased the number of credit hours they are teaching, while temporary (adjunct) faculty hours have declined.

Students come to LCSC with an average 3.0 grade point average, but nearly fifty percent of students need remediation in math and/or English. LCSC offers all of its students central advising with required academic career planning, free tutoring, and training in basic computer/web skills. As a result, LCSC students exceed the national average in many areas of testing. In addition, 90 percent of students are placed in jobs or continuing education. **Dr. Fernandez** spoke with pride about the service to the community provided by LCSC students and athletes.

Approximately seven percent of courses are offered online. An additional percentage is a hybrid mix of online and some face-to-face instruction, bring the total to approximately 14 percent. **Dr. Fernandez** detailed budget figures and staff compensation, and the impact of funding on faculty retention. Legislative requests include increased funds for employee salaries, enrollment workload adjustment, inflation, and capital equipment replacement. In summary, **Dr. Fernandez** restated LCSC's commitment to higher education in Idaho.

Senator Buckner-Webb asked how comparative faculty compensation rates affect faculty retention. **Dr. Fernandez** stated that faculty retention is quite high, with a 6 to 7 percent turnover. The faculty is very loyal, but both faculty and staff, especially Information Technology, are lost to competitors every year. Excellent candidates from Oregon, Washington and other states across the nation interview each year, want to teach at LCS, but simply cannot afford to do so because of salary restraints. **Chairman Goedde** asked for more information about remediation of students who are not fully prepared. **Dr. Fernandez** outlined various philosophies, but felt that the best approach is to immerse students in a college level course and aggressively provide tutors and labs. He stated that this method has proven effective. LCSC's faculty is exploring additional avenues, such as strengthening its relationships with high school teachers to better prepare math and science students for college. **Vice Chairman Mortimer** asked for the deferred maintenance figure for LCSC, and **Dr. Fernandez** replied that it is approximately \$1 million per year, with a backlog of \$25 million.

ADJOURNED: Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:46 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, January 24, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|----------------|--|--|
| PRESENTATION | Education Update | Mr. Tom Luna, Superintendent of Public Instruction |
| PRESENTATION | Workforce Issues Affecting Public School Teachers | Mr. Rakesh Mohan, Director, Office of Performance Evaluations, and Mr. Lance McCleve |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

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MINUTES
SENATE EDUCATION COMMITTEE

DATE: Thursday, January 24, 2013
TIME: 3:00 P.M.
PLACE: Room WW55
MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** convened the meeting at 3:00 p.m.

PRESENTATION: **Chairman Goedde** called upon Mr. Tom Luna, Superintendent of Education, who presented an update on education in Idaho. **Superintendent Luna** commented that he had presented his report to the Joint Finance and Appropriation Committee (JFAC) earlier in the day. He reviewed the progress made in the education system and made recommendations for the upcoming fiscal year.

Superintendent Luna said that while many changes were brought about last year in education, many things have not changed. Sixty percent of Idaho's schools made Adequate Yearly Progress (AYP) last year; 58 percent were rated as Four-Star or Five-Star schools; and when measured against other states, Idaho students do well. Students in only eight states outperform Idaho eighth graders in reading, and students in just 11 states outperform Idaho eighth graders in math.

Superintendent Luna expressed concern about the low number of students graduating from high school who will not go on to higher education. He said that for every 25 high school students, 23 will graduate, but only 12 will go on to some form of postsecondary education, and of those 12 students, 41 percent will need remediation. Statistically, only eight students of the 25 will complete higher education.

For Fiscal Year (FY) 2013, this legislature appropriated more than \$1.2 billion, a 4.6 percent increase in General Funds to Idaho's public schools. The budget included a 5 percent increase in total compensation for teachers, which included \$13.6 million in funding for classroom technology and professional development; \$4.85 million for more math and science teachers; and \$842,400 in dual credit for high school students.

Superintendent Luna also addressed FY 2014, stating he had requested a three percent increase in General Funds, which includes \$5.8 million in funding for growth.

Superintendent Luna praised the Dual Credit Program for high school students who have met certain benchmarks, citing the first student to participate, who earned 26 credits through this program, cut his postsecondary education in half. **Superintendent Luna** also gave credit to Senators Thayn and Durst for their contributions in advanced student opportunities.

Superintendent Luna spoke about the importance of technology, including Schoolnet. The J.A. and Kathryn Albertson Foundation provided a \$21 million grant to deploy Schoolnet to every classroom in Idaho and \$4.9 million has been requested to provide funding for that program, along with maintenance, updates, technical support, and a robust digital content from Discovery Education.

Superintendent Luna said one of the biggest improvements in Idaho's education system is the increased academic standards in mathematics and English language arts. He discussed compensation for Idaho's teachers and said he has requested an increase in minimum salary to \$31,000. There will also be a focus on school safety this year in light of the recent tragedy in Connecticut. **Superintendent Luna** closed by emphasizing the need for using 21st century tools to ensure Idaho's students are prepared for the future.

A question-and-answer period ensued with questions posed by **Chairman Goedde** and **Senators Thayn, Nonini, Mortimer, Durst, and Pearce** on issues relating to professional development, Schoolnet, Common Core State Standards, and mental illness. **Chairman Goedde** thanked Superintendent Luna for his presentation.

PRESENTATION: **Chairman Goedde** called on Mr. Rakesh Mohan, Director of the Office of Performance Evaluations, to present recent findings on Workforce Issues Affecting Public School Teachers. **Mr. Mohan** gave a brief outline of the study and introduced Mr. Lance McCleve, Office of Performance Evaluations, who presented the findings compiled from the study. **Mr. McCleve** outlined the study's approach, which included an overview of teachers and classrooms; teacher workforce; average class size; class size concerns and considerations; teacher preparedness and programs; applicant pool size and quality; recruitment challenges; and retention, turnover and future workforce needs. Key considerations were: class size, compensation, and what was perceived to be an undercurrent of despair among teachers. **Mr. McCleve** said that turnover was not as extreme as previously reported, and that a mass exodus has not occurred but could happen in the future. He cited the loss of support staff and subsequent teacher overload, as one factor causing low morale among teachers.

Senators Patrick, Pearce and Durst asked questions about the study's overall approach and the process involved in the collection of data. **Mr. Mohan** emphasized that while they did not intend to generalize, responses from approximately 2500 teachers were factored into the study. **Chairman Goedde** thanked Mr. Mohan and Mr. McCleve for their presentations.

ADJOURNED: There being no further business to come before the committee, the meeting was adjourned at 4:51 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

Jeanne' Clayton
Senate Majority Staff

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, January 28, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-------------------------|--|--|
| MINUTES | Approval of Minutes, January 10, 2013 | Vice Chairman Mortimer |
| MINUTES | Approval of Minutes, January 14, 2013 | Senator Durst |
| RS21815 | One Year Contracts and Evergreen | Karen Echeverria, Director, Idaho School Board Association |
| RS21809 | 50% + 1 and Majority Ratification | Karen Echeverria |
| RS21812 | Reduction in Salary and Administrative Leave | Karen Echeverria |
| RS21793 | DeNovo Hearings | Karen Echeverria |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, January 28, 2013

TIME: 3:00 P.M.

PLACE: WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the meeting to order at 3:00 p.m.

MOTION: **Vice Chairman Mortimer** moved to approve the minutes of January 10, 2013. **Senator Patrick** seconded the motion. The motion carried by **voice vote**.

MOTION: **Senator Durst** moved to approve the minutes of January 14, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.

PRESENTATION: **Chairman Goedde** recognized Karen Echeverria, Executive Director, Idaho School Boards Association (ISBA), who took the podium to present four RSs to the committee.

Ms. Echeverria provided background information addressing various pieces of collective bargaining and teacher contract issues. At its annual convention this past November, ISBA membership voted by a margin of three-to-one to bring these measures before the legislature for review, discussion and potential approval. She said the ISBA believes that as elected officials of their local school districts, they are responsible for the long-term prudent fiscal management their patrons expect, and they need the ability and the tools to effectively run their districts.

Ms. Echeverria said the membership of ISBA heard the concerns expressed by the Idaho Education Association (IEA) during the recent campaign, which were twofold: (1) the union's ability to negotiate more than just salaries and benefits, and (2) the protection of their tenure or continuing contracts. To the ISBA's knowledge, no other concerns were expressed on collective bargaining and contract matters and, as such, the ISBA will not bring any legislation on those two issues.

RS 21815 **RS 21815** specifies that any master agreement reached between a school board and local union would be in effect for only one year beginning on July 1 and ending on June 30. **Ms. Echeverria** said that in order for school boards to set an annual budget in a timely manner based on the dollars available for the upcoming fiscal year, ISBA's members believe that master agreements cannot be open-ended and must have a one-year term. There is no fiscal impact to the state.

Senator Durst asked if school districts would be allowed to have multiyear contracts if they so chose and, if not, why not. **Ms. Echeverria** said that option would not be part of this legislation because the ISBA believes it is in the best interests of the school districts to manage on a yearly budget. When pressed, **Ms. Echeverria** stated that three-quarters of the school boards voted in favor of the single year contract, and the ISBA was here to represent the majority.

MOTION: **Vice Chairman Mortimer** moved to print **RS 21815**. **Senator Patrick** seconded the motion. **Senator Durst** requested a substitute motion.

SUBSTITUTE MOTION: **Senator Durst** moved to return **RS 21815** to the sponsor. **Senator Buckner-Webb** seconded the motion. The substitute motion **failed**. **Senators Durst** and **Buckner-Webb** voted **aye**.

ORIGINAL MOTION: **Chairman Goedde** called for a vote on the original motion by **Vice Chairman Mortimer** to print **RS 21815**. **Senator Durst** requested a **roll call vote**. **Senators Fulcher, Nonini, Thayn, Patrick, Vice Chairman Mortimer** and **Chairman Goedde** voted **aye**. **Senators Durst** and **Buckner-Webb** voted **nay**. The motion **carried**.

RS 21809 **Ms. Echeverria** explained that **RS 21809** contains two elements that deal with collective bargaining. The first would require the local union to provide proof that they represent 50 percent plus one of the certificated employees in the local district in order to negotiate on their behalf. They would need to provide this annually. The second element of this bill would require both the local union and the local school board to provide proof that their respective memberships have ratified the agreement that has been negotiated by their appointed negotiators. **Ms. Echeverria** asked that the committee print **RS 21809**.

MOTION: **Senator Patrick** moved to print **RS 20809**. **Senator Fulcher** seconded the motion. **Senator Durst** requested a **roll call vote**. **Senators Fulcher, Nonini, Thayn, Patrick, Vice Chairman Mortimer** and **Chairman Goedde** voted **aye**. **Senators Durst** and **Buckner-Webb** voted **nay**. The motion **carried**.

RS 21812 **Ms. Echeverria** stated that **RS 21812** again contains two elements. The first element would allow the local board of trustees to raise or lower certificated salaries or lengthen or shorten the term of certificated employee contracts. The second element would allow the local district to place an employee on unpaid administrative leave when that employee has a criminal court order that prevents them from complying with the terms of their contract. Currently, there is no provision that allows an employee to be placed on unpaid leave. The ISBA membership does not believe that the school district, and ultimately the taxpayers in their district, should be responsible for paying the salary of any employee who is unable to perform their duties in addition to the salary of a substitute.

Senator Thayn asked why there would be a need to reduce teacher salaries from time to time. **Ms. Echeverria** replied that this legislation is about long-term fiscal management as a counter to potential future difficult times, such as was experienced recently. If a supplemental district levy failed, for example, the district may not actually have enough money to pay the teachers on the grid they had at the local school district level. **Senator Durst** said a recent study by the Office of Performance Evaluation (OPE) reported teacher morale to be low and asked how this legislation might further affect such morale. **Ms. Echeverria** said that teacher morale is a management issue for the school districts and this legislation should have no effect.

MOTION: **Vice Chairman Mortimer** moved to print **RS 21812** . **Senator Thayn** seconded the motion. **Senator Durst** requested a **roll call vote**. **Senators Fulcher, Nonini, Thayn, Patrick, Vice Chairman Mortimer** and **Chairman Goedde** voted **aye**. **Senators Durst** and **Buckner-Webb** voted **nay**. The motion **carried**.

RS 21793

Ms. Echeverria stated that **RS 21793** addresses the issue of terminations and non-renewal hearings of certificated employees that are appealed to the district court. This legislation would establish the parameters of those appeals and restricts the courts ability to either affirm the decision or to set it aside and remand it back to the school district. Under current law when a grievance is appealed to the district court, it is as if nothing happened during the grievance procedure. A completely new trial begins and there is no deference given to the school board record or the school board decision.

Senator Durst asked how many school board members have practiced law or have law degrees enabling them to provide adjudication in such an appeal. **Ms. Echeverria** said the hearing officer would make a recommendation to the board and the board would make the decision. She added that she believed this was the case with any appeal – so that county commissioners, city councils, state employees, etc., all receive the same kind of hearings that the this legislation would grant to teachers.

MOTION:

Senator Fulcher moved to print **RS 21793**. Vice Chairman Mortimer seconded the motion. **Senator Durst** requested a **roll call vote**. **Senators Fulcher, Nonini, Thayn, Patrick, Vice Chairman Mortimer** and **Chairman Goedde** voted **aye**. **Senators Durst** and **Buckner-Webb** voted **nay**. The motion **carried**.

Chairman Goedde thanked Ms. Echeverria for her presentation. He briefed the committee on the process and time line set up with House Education Committee Chairman DeMorduant. Both have committed to meet with the stakeholders. Thus far, one meeting has been set up to go through the bills, line by line, in an effort to find common ground and work from there, as with any other bill. A second meeting will be forthcoming.

ADJOURNED:

There being no further business to come before the committee, **Chairman Goedde** adjourned the meeting at 3:17 p.m.

John Goedde
Chairman

Elaine Leedy
Secretary

Jeanne' Clayton
Senate Majority Staff

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, January 29, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|---|--|
| S 1028 | Ends Pilot phase for Mastery Advancement Program | Senator Durst |
| PRESENTATION | Impact of Personal Property Tax Repeal on Education | Alan Dornfest, Property Tax Policy Supervisor, Idaho State Tax Commission |
| PRESENTATION | Juvenile Corrections, Update | Sharon Harrigfeld, Director; James Pannell, Education Program Director |
| PRESENTATION | Idaho Five-Star Rating | Nick Smith, State Department of Education |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Tuesday, January 29, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** convened the meeting at 3:02 p.m. and a silent roll was taken.

S 1028 **Chairman Goedde** informed the committee that the Department of Education is required by statute to provide a full report prior to voting on this legislation. The 2012 report is complete, but the 2013 report will not be available for several days. Consequently, a vote would not be held on **S 1028** at this meeting. Because presenters and a testifier were present at the meeting, the committee would hear the presentation and testimony at this time and the legislation would be voted on when the 2013 report is available.

Senators Durst and **Thayn** presented **S 1028**, relating to the Mastery Advancement Program (MAPP). **Senator Durst** said the bill would remove the word "pilot", open the program to all schools in Idaho, and repeal the sunset clause. **Senator Thayn** said the original legislation was introduced and passed in 2009, which consisted of two parts: (1) Allowed students to challenge classes for credit toward early graduation, and (2) Created a scholarship from unspent Average Daily Attendance (ADA) funding. **Senator Thayn** reported that the scholarship part has been working well but said in the Boise school district, of 79 qualified students, only 39 took advantage of the scholarships.

Senator Durst said the advantages of the program are cost-savings, compared to what the state would have paid in ADA funds, and creation of an incentive for students to go on to higher education. It also serves as an incentive for students to adopt a "worker" mentality.

A question-and-answer period ensued regarding scope of the program (open to all students, K-12), student interest, and number of schools participating (about 17).

TESTIMONY: **Mr. Dean Jones**, Boise School District, reported on the program's positive results and increased student participation.

Chairman Goedde thanked the presenters and Mr. Jones and reminded the committee that **S 1028** would be back for a vote when the Department of Education has completed its 2013 report.

PRESENTATION: **Mr. Alan Dornfest**, Property Tax Policy Supervisor, Idaho State Tax Commission, reported on the impact of personal property tax repeal on education and referred the committee to the handouts (Attachment No. 1). He presented an overview of how general property tax operates. The taxing system determines how much is needed, then a taxable value is set as the tax rate. If a portion of the tax is defined as personal property, the denominator can be lowered. He gave the example of how tax rates increased when home values decreased due to the economic recession. He said the definition of personal property is critical when creating the tax rate.

Relative to school districts, **Mr. Dornfest** spoke of maintenance and operation taxes where rates are applied to prior years' values, the exceptions being Boise and Lewiston school districts, which are charter districts. Mr. Dornfest said that the state could provide replacement, but if not, levy rates would increase. The emergency fund levy limit might prevent a rate increase in that fund." **Chairman Goedde** asked if the taxes would be on a reduced basis if personal property tax base were to be eliminated, thereby raising the rate. **Mr. Dornfest** said that the deficiency would be replaced with the emergency fund rate. **Mr. Dornfest** answered questions regarding rate capping and levies. In summary, **Mr. Dornfest** said that if the personal property tax were repealed, education dollars would either be lost, replaced or redirected.

Chairman Goedde thanked Mr. Dornfest for the information, which he said would provide an overview for the committee when new provisions on personal property taxes were made in the future.

PRESENTATION: Ms. Sharon Harrigfeld, Director, Idaho Department of Juvenile Corrections, provided an overview of the history of the Juvenile Corrections Department and reviewed the 2012 annual report on education programs and student achievement. She also described in detail the daily structured curriculum and activities for juvenile correctional facilities. **Mr. James Pannell**, Director of the Juniper Hills School, presented information on his facility. Idaho Juvenile Corrections currently has 186,000 children aged 10 to 17 in three state-run institutions and 5,000 children on probation. The three facilities consist of fully accredited schools.

Committee members asked questions relative to mental health, substance abuse, cost-effectiveness of in-house staff versus outsourcing, training for clinicians and socialization programs. **Chairman Goedde** thanked the presenters for the information.

PRESENTATION: Mr. Nick Smith of the State Department of Education, presented an overview of Idaho's Elementary and Secondary Education Act (ESEA) Waiver and the Five Star Rating System. The purpose of the Waiver from a federal standpoint is (1) to bridge the gap while congress works to reauthorize No Child Left Behind (NCLB), (2) to provide additional flexibility to states and districts, and (3) to align states to Race to the Top initiatives. From the state's standpoint, the purpose is (1) to establish a new higher level of accountability in determining a school's performance, (2) to align Idaho's accountability system with Students Come First, Race to the Top, and ESEA components and (3) to implement a comprehensive plan for public education in Idaho.

A thorough question-and-answer period ensued relative to the rating system, awards, scoring of urban versus suburban populations, student growth, timing and process. **Mr. Smith** said student achievement and growth are a large part of the evaluation. Teacher and principal evaluation was discussed at length, including multiple measures of evaluation, student input and portfolios. He stressed that all measures must be valid and reliable and will include proficiency assessments for both teachers and administrators or required training.

ADJOURNED: There being no further business to come before the committee, **Chairman Goedde** adjourned the meeting at 4:55 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, January 30, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|--|---|
| Minutes | Approval of Minutes January 15, 2013 | Senator Thayn |
| Minutes | Approval of Minutes January 16, 2013 | Senator Patrick |
| Minutes | Approval of Minutes January 22, 2013 | Senator Pearce |
| S 1027 | Amends Idaho Code governing state scholarship programs | Marilyn Whitney, State Board of Education |
| 08-0202-1203 | Standards review incorporated by reference – World Language Standards - DISCUSSION | Luci Willits, State Department of Education; Diane Boothe, Chair of IACTE; Cori Mantle Bromley, Dean, U of Idaho; Shannon McGowan, Member of Standards Setting Team |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Wednesday, January 30, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
- ABSENT/ EXCUSED:**
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** convened the Education Committee at 3:02 p.m., and a silent role was taken.
- MOTION:** **Senator Thayn** made a motion to approve the Minutes of January 15, 2013; **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.
- MOTION:** **Senator Patrick** made a motion to approve the Minutes of January 16, 2013; **Senator Fulcher** seconded the motion. The motion passed by **voice vote**.
- MOTION:** **Senator Pearce** made a motion to approve the Minutes of January 16, 2013; **Senator Thayn** seconded the motion. The motion passed by **voice vote**.
- DOCKET NO. 08-0202-1203** **Luci Willits**, State Board of Education (SBE), reminded the committee that questions had remained concerning **Docket No. 08-0202-1203**, teacher preparation standards and documents incorporated by reference. Specifically, Senator Nonini had questioned language in the new rule regarding how "world languages" were being taught together with culture in a language setting, and how that might relate to perceptions about our country. **Ms. Willits** then introduced Dr. Cori Mantle-Bromley, Dean the College of Education, University of Idaho (UI).
- Ms. Mantle-Bromely** reviewed her professional background as a foreign language teacher, primarily teaching Spanish. In her work with students, she also helped them understand the culture of the country, the nuances of body language, for example, to aid in successful communications. **Ms. Mantle-Bromley** cited several examples from her own personal travels. **Senator Nonini** asked if she had experience travelling in the Middle East. She did not, nor did others present. **Senator Nonini** pressed on, asking if culture and government are appropriate in a language class, for example, that the United States is a democracy and another country might be a dictatorship. **Ms. Mantle-Bromley** replied that as a language teacher, she would leave those subjects to political science and government classes.
- Senator Fulcher** said that he could see the usefulness of teaching cultural habits along with language, but still questioned how you "wrap standards around culture" because culture is dynamic. **Senator Nonini** agreed. Since no one was present to speak about Middle Eastern culture, his questions remained unanswered. **Chairman Goedde** suggested that **Ms. Mantle-Bromley** locate someone who could answer Senator Nonini's question. **Chairman Goedde** thanked Ms. Mantle-Bromley and Ms. Willits for their time, and introduced the next speaker.

S 1027

Marilyn Whitney, State Board of Education (SBE), explained that **S 1027** amends Idaho Code governing state scholarship programs to ensure that those programs are relevant and effective in assisting Idaho students in completing postsecondary education and to improve efficiency of program administration. **Ms. Whitney** then introduced Curtis Eaton, Co-Chair of the Scholarship Committee ("Committee") to provide background.

Mr. Eaton acknowledged Vice Chairman Mortimer and Senator Thayne for their active participation on the Committee. He noted that although the Committee did not come to consensus on all points, they had good, honest discussion. He believes that S 1027 is representative of the work done by the Committee.

Mr. Eaton stated the Committee had several meetings between June and September, and wrestled with a number of issues. They were guided by the State Board of Education's goal to have 60 percent of Idahoans between ages 24 and 35 achieving a degree or certificate of value by year 2020. The Committee also reviewed several studies by Jamie McMillan and the Albertson's Foundation, the Western Interstate Commission on Higher education, and the Office of Performance Evaluations (OPE)

The Committee considered three questions: 1) should the scholarships be need based; 2) should the scholarships be merit based, and 3) should the scholarships promote completion of college. The Committee said "yes" to all of them. Scholarship awards are based upon a shared responsibility with various sources of funding, including federal, state, family and institutional assistance. **S 1027** addresses the state component of scholarship funding. The Committee also concluded that consolidation of many programs and simplification of the process would be a proper course for the state. **Mr. Eaton** stated that in consolidating the programs, the historical significance of the people involved in developing the state scholarships could be lost. Former Senator Robert Lee, whose name is attached to both the Promise A and Promise B scholarships, was a great proponent of higher education assistance.

Senator Durst asked Mr. Eaton to elaborate on the definition of merit. **Mr. Eaton** replied that merit means reward for performance. The Committee spent many hours discussing this topic. They found that the success of other states lies in the balance of opportunity and reward for doing well. There is a place for merit, also a place for those who have a lower Grade Point Average (GPA). The Opportunity Scholarship embodies 70 percent need based and 30 per merit based. As the Committee looked toward a hybrid solution and consolidating programs, it recommended that the Opportunity Scholarship serve as a model going forward. **Senator Durst** replied that Idaho does not have any need-only based scholarships which he sees as an extra barrier to college entry. **Senator Durst** asked that if a college accepts a student, shouldn't that be merit enough. **Mr. Eaton** agreed that balance is very important. This legislation tries set a framework for state funding as well as funding that may come directly from the colleges and universities. **Chairman Goedde** thanked Mr. Eaton for his work, and again recognized Ms. Whitney.

Ms. Whitney again stated that the changes proposed in **S 1027** consolidate all of the scholarship programs into one chapter of Code, now Chapter 43. This will assist students and families in identifying and understanding the state's scholarship programs. She directed the committee to a one page handout which outlined how the programs would be consolidated. Next, referring directly to **S 1027**, Section 1. on Page 1 Ms. Whitney explained that this legislation repeals the Student Loan Forgiveness Program. The SBE recommends that funding be redirected to the Opportunity Scholarship program. On Page 2, 33-4301 renames the chapter "the Scholarship and State Aid Act." Section 3 consolidates the POW/MIA and Public Safety Officers scholarships into one section of Chapter 43. Eligibility requirements and benefits remain the same. The underlined portions are the cut and paste from Section 4, which is the current Public Safety Officers section. Section 4 is then repealed. Section 5 repeals the Promise A and Promise B scholarships. Again, the SBE proposes that funding of those programs be redirected into the Opportunity Scholarships.

The new Section 6. brings the Opportunity Scholarship into Chapter 43. Previously, it was in Chapter 56. Section 7 is new and adds a reporting requirement which states that eligible institutions will provide data to the SBE to evaluate the effectiveness of the program. Section 8, repeals the Minority and "At Risk" scholarship. Section 9, repeals the current Opportunity Scholarship. The current legislation makes some technical changes in implementation of Opportunity Scholarship program, including the distribution formula. These changes will be detailed in a proposed administrative rule that will be reviewed by The Education committee next year. The SBE will continue to recognize Senator Robert R. Lee for his vision to reward Idaho students and for his efforts to secure additional dollars for state support for scholarships.

Senator Durst asked questions concerning the State Loan Forgiveness program.

Ms. Whitney replied that the program is not really a scholarship but a loan forgiveness for nurses and teachers who are employed in the profession for at least two years. This program has been difficult to administer. Those currently in the program will be honored. **Senator Durst** again asked about the merit portion of the Opportunity Scholarship. **Ms. Whitney** replied that a recommended GPA of 2.5, or a General Education Degree, or home school equivalent would be addressed in the administrative rule making process in 2014. **Senator Fulcher** questioned the rule-making framework. **Ms. Whitney** answered that the framework differs for consolidating these programs. For students seeking a bachelor's degree, the scholarship would be available in a two-year college, and would follow if the student transfers to a four-year college. The current amount of the Opportunity Scholarship is \$3,000, but because of consolidation, it will decrease to \$2,000. However, more students can obtain scholarship benefits.

Having no further questions, **Chairman Goedde** called for a motion on **S 1027**.

MOTION:

Senator Thayne made a motion to send **S 1027** to the Senate floor with a **do pass** recommendation. **Senator Fulcher** seconded the motion. The motion carried by **voice vote**, with **Senator Durst** voting **nay**.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, January 31, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|---------------|---|---|
| PRESENTATION: | Common Core State Standards (CCSS); Smarter Balance | Luci Willits, State Department of Education; Dr. Carissa Miller; Nick Smith |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

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MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Thursday, January 31, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
- ABSENT/ EXCUSED:**
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** called the Education Committee to order at 3:08 p.m., and a silent roll was taken. He announced that the committee would hear a presentation on Common Core State Standards (CCSS), and introduced Luci Willits.
- PRESENTATION:** **Luci Willits**, State Department of Education (SDE), opened with an outline of her presentation: first, the process by which the SDE adopts standards in the state and the history of adopting those standards; second, a presentation by Nick Smith on professional development – what has been done to date and what the SDE hopes to accomplish in the next budget year; and finally, a presentation by Dr. Miller concerning the new Idaho Standard Achievement Test (ISAT) and how it will look to students and teachers under the new standards.
- Senator Pearce** asked Ms. Willits a clarifying question concerning the difference between CCSS and "end of course" (EOC) assessments, and whether EOCs are being replaced. **Ms. Willits** replied that standards are the fundamental content that we teach to students, and an EOC assessment would measure those standards. Districts could continue to have EOC assessment on courses; the standards do not replace EOC assessments. **Senator Pearce** recalled that in prior sessions, EOCs were being utilized, and asked if they had been eliminated as a result of the 2012 propositions. **Ms. Willits** replied no, EOCs are still being used, for example, in science where an EOC would be more appropriate than ISAT. EOCs are separate from any discussion of CCSS or the propositions. **Dr. Carrissa Miller**, SDE, added that options exist in Smarter Balance to develop and use EOCs in an alternate way. She explained that EOCs are simply a different form of measure. **Senator Pearce** noted that the Boise school district has developed a lot of EOCs, and asked if the SDE was going encourage them. **Ms. Willits** replied that yes, Boise has a fully developed EOC assessment program. She again stressed that EOCs are a choice for a district to use to ensure that the material has been taught. **Ms. Willits** continued that the SDE is developing items that a district could use as an option, not a requirement. Changes are occurring with science, because the SDE wants students to be able to pass a science test before graduating high school, and believes an EOC assessment is better than the 10th grade ISAT assessment for science. **Senator Pearce** asked if the EOC assessment in science had been set out in rule, or was it simply a policy of the SDE, or did it apply to other areas of study as well. **Ms. Willits** replied that the SDE had focused its resources in science, it is not yet a rule, but the SDE may work toward a rule in 2017.

Ms. Willits began her presentation with a definition of standards: it is content; it is what students should know and be able to do at the end of each grade level. Before the 1990s, there was no continuity, no curricular alignment, and states did not always have achievement standards. The Idaho Achievement Standards were developed in the 1990s to ensure that students in "District A" were mastering the same information and knowledge as students in "District B." Idaho developed the ISAT in 2001 to measure these achievement standards at the end of each grade level and to track student progress. Standards exist for almost every subject and for every grade. They have been developed by Idaho Educators together with consultants on best practices, and they are reviewed on a rotating basis so that each standard is reviewed by the SDE and the legislature every five years. Every other state does the same thing. Individual districts have the option to raise the standard, but they cannot go below the state standard. Because each state handled this process individually, it was impossible to compare data or to look at data as a nation. Idaho, along with other states began to recognize that (1) too few students go on to postsecondary education and earn a degree or certificate, (2) of those who do go on to postsecondary education 41 percent need remediation once they get there; and (3) Idaho students continue to lag behind their peers in other countries on international assessments.

Ms. Willits explained that in 2009, Idaho partnered with other states to develop more rigorous standards in mathematics and English language arts that would achieve two goals: that every high school student would be college- and career-ready, and that their education would be comparable with any other country in the world. These have become known as the Common Core State Standards. Colleges, universities, business leaders, stakeholders, and the public attended presentations and provided feedback. The SDE also hosted teachers from across the state to evaluate and compare the CCSS to current Idaho content standards. Results showed strong correlation between CCSS and current Idaho standards: 70 percent match, but generally, the current standards weren't as high, particularly in math. Fortunately, Idaho has the Idaho Math Initiative and the CCSS is aligned with that initiative, and has trained 85 percent of teachers on teaching math with multiple strategies. Overall, the new standards were fewer, clearer and higher (deeper). In 2010 and 2011, the SDE and the Idaho legislature adopted CCSS. These standards define the knowledge and skills students should have within K-12 grades so they will graduate from high school able to succeed in entry-level, credit-bearing college or professional-technical courses and in the workforce. They also are aligned with college and workforce expectations; are more focused and coherent; include rigorous content and application of knowledge through higher-order skills; build upon strengths and lessons of current state standards; are benchmarked against standards in other top-performing countries; and are built on extensive research. **Ms. Willits** showed various examples from math and English CCSS in her powerpoint presentation, which is attached and incorporated by reference.

Ms. Willits emphasized that, while Idaho has adopted these standards, the state does not dictate curriculum. Locally elected school boards will be responsible for adopting textbooks and other curricular materials. The SDE will rate various textbooks for districts, help them with the selection process, but do not dictate what they will use. School districts also can adopt additional standards. Ongoing professional development has been in place since 2011 to train teachers and administrators in adopting the CCSS. School year 2013-14 is the first year the CCSS will be implemented in the classroom, and in 2014-2015, a new ISAT will be delivered based on CCSS.

Senator Patrick asked about changes that the students would experience. **Ms. Willits** replied that the greatest changes will be in math because the standards are higher than those previously. However, she reminded the committee that at any time, the state has the authority to alter standards. Idaho will learn, be flexible and stay committed. At this point, the standards need time to percolate. Every five years the standards each will go through review rotation. She felt that it was proper to embrace these standards and go forward with optimism. **Senator Buckner-Webb** commented that she had attended a discussion on CCSS. What had captivated her were the teacher's focus on the depth within math and English, and the fact that many answers to a question exist, not just one. **Ms. Willits** agreed. The CCSS teaches creativity and critical thinking skills and offers more than one path to the right answer. **Chairman Goedde** voiced his perception that the teachers do not have a problem with the standards on a grade by grade basis; the real issue is the higher thinking skills that will require teachers to change how they teach. **Ms. Willits** agreed: "that is the ultimate goal."

Senators Durst asked about how the standards work in a classroom with differentiated students. **Ms. Willits** replied that professional development is one of the keys. First, teach the standards, and then teach strategies for differentiation within the classroom. **Chairman Goedde** asked the likelihood of implementing the standards on schedule. **Ms. Willits** said that a lot of work has been done, and the awareness of CCSS among teachers is high, as well as the anxiety because it is different. Idaho was wise in teaching these standards before they were implemented, but professional development needs to continue. The SDE is committed to the time line and the legislature can aid the process in funding professional development. **Senator Thayne** asked if the teachers are going to be ready. **Ms. Willis** replied yes, as long as proper resources are available. Some larger districts are ahead of smaller districts, though not yet fully competent. **Senator Thayne** asked if the teachers were feeling threatened or worrying about repercussions if the results are disappointing. **Ms. Willits** stated that she wanted to be perfectly clear: "We will see a dramatic dive in test scores when students are first tested, and that's okay. It's not anybody's fault, not the teachers' fault, not the students' fault: it is a higher standard...and it is the right thing to do." That students will struggle at first must be discussed with administrators, teachers, parents, students and the general public. Kentucky tested their students, and scores decreased 20 percent. **Ms. Willits** said that Idaho could expect at least that much of a decrease and maybe more. But the teachers seem to like the CCSS because it is something they can do well and creatively, and when shown some of the test questions, the teachers gave overwhelmingly positive feedback.

Continuing the discussion of standards versus curriculum, **Senator Nonini** asked if districts are required to meet some standard or guidelines. **Ms. Willits** replied that the SDE reviews course materials and grades them according to the percentage that they match CCSS, knowing that there is not 100 percent match anywhere for these textbooks. Textbook publishers do not write them to align with Idaho standards. The SDE provides the list; if a district does not like the list, they can petition the SDE for a waiver. **Senator Nonini** asked if the SDE would always grant the waiver. **Liz Glasnick**, SDE, stated that several requests had been put forth in the preceding months and all were granted. **Chairman Goedde** asked her to explain the process by which a textbook is adopted or graded. **Ms. Glasnick** replied that nineteen people serve on the nominating committee, including superintendents, teachers, parents, and content specialists to vet course materials. The materials are reviewed in June and then placed on an adoption guide. **Senator Fulcher** noted that the No Child Left Behind (NCLB) program received criticism that it forced teachers to "pull up" lower performers to the detriment of higher performers. He asked if a similar pattern might develop with CCSS. **Ms. Willits** responded that all students deserve high standards, and Idaho is particularly

fortunate to have the Five Star Rating system which holds districts accountable for growth, not proficiency. This accountability system, where students are measured on growth, ensures that regardless of level of proficiency, a student will be judged on growth. The problem with NCLB is that it addressed children who were behind in their level, but did not address those who were already proficient. **Chairman Goedde** stated that in his district in Coeur d'Alene, reading scores are two grades ahead, and keeping them two grades ahead doesn't mean anything from a growth standpoint. **Ms. Willits** explained that the SDE provides a materials guideline which helps align to the standards because if the materials are not aligned, students with not meet the standards and grow. **Senator Nonini** asked if a problem still exists with textbook alignment. **Ms. Willits** responded that no textbook is yet fully aligned to the standards, and the districts are seeking other materials to fill the gap. She believes that textbook alignment will improve in the future.

Ms. Willits summarized her presentation by reviewing what CCSS means for Idaho. In math and English language arts Idaho now has common standards, and those standards are comparable to other states and to other countries. The content is far more rigorous than in the past; it is aligned to college and work expectations, it allows comparison of student achievement with other states, and it will provide a common scale so that textbooks can be produced for our standards. CCSS will also provide multiple opportunities for professional development. **Chairman Goedde** thanked Ms. Willits for her presentation and introduced Nick Smith.

PRESENTATION: **Nick Smith**, SDE, stated that he would preview what has been done in implementation of CCSS, what kind of professional training, support and resources have been offered, and the vision moving forward. The SDE has focused its efforts in five areas: professional development training, which is the largest portion; communications and publications to inform the public about CCSS; lesson plans, curriculum material development and sharing information with rural areas; building capacity and regional support; and higher education partnership with various groups and higher education.

The SDE has been working since 2011 to prepare teachers and administrators and to provide professional development. They have worked with the Idaho Science, Technology, English and Math (ISTEM) conferences, the Best Practices Institutes, sports and health organizations. Every teacher can truly educate and support the CCSS. The SDE has provided regional implementation training, helping them to build capacity within their districts and to design their own plan to implement the CCSS. They have also worked with districts on corelated assessment literacy, trying to make sure they are prepared for the higher level questioning which will come, workshops with BSU, both state universities and Northwest Inland Writing Project, making sure that teachers are prepared to teach the new English language arts standards and writing components. They have worked with high schools as well.

Communications and publications encompass a large area of focus to help educators see the relationship between the old content standards and the new CCSS, how they differ, and how they are alike. Lesson plans and curricular development are part of Schoolnet, which is an instructional management system. One of the goals is to create content lesson plan materials so that teachers can use it to build lesson plans. In addition, Schoolnet contains 53,000 assessment items that are aligned to CCSS. Schoolnet professional development "in a box" allows educators to take the training, and they can replicate that training in their districts themselves. Building capacity and regional support is continuing in the districts to support Schoolnet. Colleges and universities are working to infuse their teacher preparation programs with both CCSS and Schoolnet to produce teachers and administrators who are ready for the new standards.

Next steps, which depend on budget support, are to focus on professional development in English language arts and mathematics, create and post models for district replication for professional development; train district teams for Idaho curriculum in math – unpacking the standards, discerning the similarities and differences to understand what curriculum and content needs to be adopted. This process is one of the most valuable portions of professional development as teachers dig in to the standards, and understanding them at a deeper level. The current Mathematics for Critical Thinking programs is well aligned implementation of CCSS and sets the stage for digging deeper into the yearly progression of knowledge that students and teachers will face. Moving forward, the SDE hopes to see six regional trainer consultants for English language arts, and six regional trainer consultants for mathematics because ongoing support and follow up will ensure that changes and implementation are on track. These regional consultants will be out in the classrooms giving feedback and instruction to teachers after initial professional development training has been completed. Ongoing support and follow through is the best way to ensure change. Finally, the SDE is partnering organizations and agencies to focus statewide such as Idaho Digital Learning Academy (IDLA), colleges and universities. They will look for innovation grants that might be available to help improve upon professional development, curricular materials, etc., to work directly with school districts in implementation. Additional communications and resources will aid teachers and districts in involving the public. They will continue the Master Teacher Unit Planning program which are the lesson plans within Schoolnet that teachers can access to build the bank of tools which match the standards so that a new teacher can access those plans instead of starting from scratch. There being no questions from the committee, **Chairman Goedde** introduced Dr. Carissa Miller.

Dr. Miller began with the background of Smarter Balance, a consortium of 25 states, which was funded by a four-year U.S. Department of Education grant to develop new assessments (tests) that are aligned to the CCSS. The goal of the tests are to (1) provide a rigorous assessment of progress toward "college and career readiness"; (2) provide common cut scores across all consortium states; (3) track both achievement and growth information; (4) be valid, reliable and fair for all students, except for those with significant cognitive disabilities; (5) be administered online; (6) use multiple measures, and to be operational in 2014-15 school year. The importance of the common cut scores among the states will be developed after the first tests have been administered, and will then be determined by the consortium. Idaho currently participates in pilot testing, involving 20,000 students, which calibrates Idaho scores but also gives an opportunity to experience the technology and demonstrate the testing experience. Idaho has shown great cooperation and positive feedback. Next steps will include field tests, and then the operational tests will be given in Spring of the 2014-15 school year. **Chairman Goedde** asked if Idaho has the bandwidth and hardware in our schools to administer the tests at this time. **Dr. Miller** replied that Idaho now has a Technology Readiness Tool (TRT) where schools can put in all their hardware and bandwidth and it is matched up to the minimum specifications that are needed for the test. Results are very good. **Senator Fulcher** noted that in looking at the consortium of states, Idaho is vastly different than Florida, or California or North Dakota, and asked what is the appropriate way to "set the bar" when linking very different states. **Dr. Miller** replied that this question has certainly been raised. The consortium is very committed to not having the standards lowered because a state may worry about its ranking among others states. Once the states agree upon a base level of knowledge that a student should know at the end of a given grade, the test can be administered, a score given, and a ranking set. If a states wishes to prepare its own exit exam, the state may choose a higher or lower standard on their own. **Chairman Goedde** noted that a second consortium exists and asked whether the cut scores will be the same. **Dr. Miller** replied that the second consortium, Partnership for Assessment

of Readiness for College and Careers Consortium (PARCC), consists of some of the states which are not part of Smarter Balance. One of the key differences is that they will not use an adaptive test. Adaptive testing means that if a student answers a question right, the next question will be harder; if the student answers wrong, the next question gets easier. Without that, a student could answer every question wrong, and no information about that student would be known. However, a commitment exists between the two consortia to have comparability.

Dr. Miller then provided slides detailing the content specifications for mathematics and English language arts, such as, "Students can explain and apply mathematical concepts and interpret and carry out mathematical procedures with precision and fluency," and "Students can read closely and analytically to comprehend a range of increasing complex literary and information texts." She also provided and explained several sample questions. These questions are process oriented, and can take more than one day to complete as the student builds on continuing information which s/he discovers. Dr. Miller's powerpoint presentation and data are attached and incorporated by reference. **Chairman Goedde** thanked Dr. Miller, Ms. Willits, and Mr. Smith for their presentations.

ADJOURNED: Being no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:30 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

JOINT
**SENATE EDUCATION COMMITTEE
AND
HOUSE EDUCATION COMMITTEE**
8:00 A.M.
WW02 Auditorium
Friday, February 01, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|---------|-------------|-----------|
|---------|-------------|-----------|

"LISTENING SESSION" - OPEN TO THE PUBLIC

The public is invited to speak before the Joint Senate and House Education Committees on matters pertaining to Education.

GUIDELINES:

Each speaker will be allotted three (3) minutes.

Please submit a copy of your written comments to the Committee.

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
JOINT MEETING
SENATE EDUCATION COMMITTEE
HOUSE EDUCATION COMMITTEE

DATE: Friday, February 01, 2013

TIME: 8:00 A.M.

PLACE: WW02 Auditorium

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Nonini, Patrick, Durst and Buckner-Webb

Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc and Ward-Engelking

ABSENT/ EXCUSED: Senators Fulcher and Thayn, and Representative Wills

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** convened the Joint Education Committee at 8:02 a.m., and a silent roll was taken.

Chairman Goedde opened the meeting by reviewing ground rules so that everyone who wished to address the committee would have an opportunity to do so. He then yielded the floor to **Co-Chairman DeMordaunt**.

Co-Chairman DeMordaunt thanked everyone for coming, and welcomed those who could not attend to submit their thoughts via email. **Co-Chairman DeMordaunt** also stated that the School Board Association recently introduced legislation that they felt is important to more efficiently and effectively manage taxpayer dollars. Immediately upon introduction of that legislation, Chairman Goedde and Co-Chairman DeMordaunt brought many key stakeholder together to talk. This included the Idaho Education Association (IEA), the Idaho School Boards Association (ISBA), the Rural Schools Association, the Association of Superintendents and the Parent Teachers Association. In addition, **Co-Chairman DeMordaunt** assured the audience all bills presented would have a full public hearing. **Co-Chairman DeMordaunt** yielded the floor back to **Chairman Goedde** who noted that the meeting was being broadcast live on Idaho Public Television, and that written comments would continue to be accepted.

TESTIMONY: **Penny Cyr** stated that she is the current President of the IEA and a teacher of 28 years. She represents teachers who were unable to attend the meeting due to its timing, and requested that another meeting be held at a time when teachers could be present. She was concerned that **S 1037, S 1038, S 1039** and **S 1040** repeats the proposals which voters rejected in November. She asked that the committee to begin again with a collaborative process which involves everyone.

Penelope Manning expressed a similar view, adding that what secures the best teachers and improved student performance is early childhood education, smaller classes, administrative support, teacher salaries and benefits, continuing education and innovative programs like Common Core State Standards (Common Core). **Mike Lanza** agreed, adding that he is a member of the Governor's Task Force (Task Force), and that no legislation should be passed until the Task Force has finished its work. **Kathryn Stockton, Richard Newton, Sue Philley, Betty Richardson, Nancy Gregory, Jennifer Leuck, Peter Peterson, Brad Cederbloom, Ed Wardwell** and **Anne Pasley-Stuart** also stated that the new legislation duplicated the Luna Laws of 2011 which were overturned in November 2012, and should not be brought again.

Anne Ritter, President of the Idaho School Boards Association, said that the trustees left out the two largest concerns they heard on Proposition 1: tenure and scope of negotiation. She stated financial insecurity has created problems due to flat funding, and requested legislative help. She explained that levies can only take effect for two years, and if the levy fails, the schools still must balance the budget.

Alan Dunn, on behalf of the board of trustees, supported pay for performance and a three percent increase in base funding. Operating on a lean budget, his district teachers clean their own classrooms rather than pay outside services.

Don Keller, parent, charter founder, school administrator and board member of the Idaho Charter School Network, stated several key points to be kept in mind: there are 44 charter schools in the state of Idaho, serving 1,850 students. Were charter schools to be made their own school district, they would be the largest in the state. Charter schools spend operating funds for facilities, while public schools do not, nor do charter schools have access to local facilities financing resources. **Mr. Keller** asked that the legislature address funding to charter schools in this legislative session.

Ronalee Linsenmann reminded the committee that charter schools were designed to be the "incubators of good practices" so that the public schools could adopt those practices. She felt this concept has been lost. She also advocated the teaching of cursive writing because penmanship itself creates a personal identity.

Speaking as parents at Sage International Charter School (Sage), **Don Keller, Dylan Andrade, Chris Marshall, Bryan Moore, Carolyn Robinson, Issac Wells, Chris Schieve, Keith Donahue, Frank Coprivnicar**, and students, **Max Keller, Katie Bush, Graham Hill, Lyly Gregory and Bailey Schieve** testified about the superior learning environment at Sage. All favored school choice and many asked that the legislature equally fund charter and public schools, rather continuing the \$3,084 per student gap in funding that exists now. Many also requested additional funding for charter school facilities. **Zach Parker** added that all school boards and administrators need more flexibility.

Speaking as parents and students at Village Charter School, parents **Penny and Aidan Sites, Alyssa Knox, Berkely Smith, Nicole Stull**, and students **Alek Komrul** and **Holland Stull** testified in support of school choice, more funding for charter schools, equal funding per student, and more parent involvement.

Regarding charter schools in general, **Leslie Mauldin**, Coalition of Idaho Charter School Families, explained the funding gap between public and charter schools and the need for funding equality. **Dallas Gudgell, LeAnn Simmons** and **Lalaneya Henderson** requested additional funding, especially maintenance funding, for charter schools. **Steve Berch** also urged additional funding for public schools.

Rod Morse spoke about the Task Force, and also put forth an idea of requiring academic standards in order for students to get a driver's license. **Russ Joki** said that schools are not uniform, not thorough, and not free. He felt it was the state's duty to replace lost revenues. **Ryan Riley** stated that vouchers can work if the money is given back to parents for services not rendered by the state. He also supports dual enrollments. **Ann Marie Rhoades** reminded the committee that adults need tutoring and educational opportunities. She supports professional-technical education. **Steve Smylie** said that the focus always should be on doing what is best for the children. **Beth Oppenheimer** stressed the need for early childhood education. **Sue Lovelace** urged teachers to teach high level college preparatory classes. **Jennifer Leuck** felt that class size is an important issue, and urged the committee to visit a school and sit in a on classroom in progress. **Bill Zimmerman** expressed concern about Common Core standards. **Victoria Young** called for a new approach to focus on improvement; **Gary Smith** agreed, urging the committee to adopt a plan to hold the state accountable in producing better prepared students in order to remain competitive in the world market.

ADJOURNED: Having heard all testimony requested by the public, **Chairman Goedde** adjourned the meeting at 10:33 a.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, February 05, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-------------------------|--|---------------------------------|
| RS21833 | Kindergarten teacher and parent visits | Senator Thayn |
| RS21773 | School enrollment for felons | Senator Heider |
| RS21889 | Graduation requirements | Senator Goedde |
| RS21779 | School budgets and master labor agreements | Senator Goedde |
| PRESENTATION | Idaho Division of Professional-Technical Education | Todd Schwartz, Administrator |
| PRESENTATION | Eastern Idaho Technical College | Dr. Steve Albitson |
| PRESENTATION | Idaho Public Television | Peter Morrill |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Tuesday, February 05, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Patrick, Thayn, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** convened the meeting at 3:10 p.m. and reviewed handouts. A silent roll was taken.

RS 21773 **Senator Heider** presented **RS 21773** which amends Idaho Code § 33-205 giving authority to the board of trustees to deny enrollment to any pupil found guilty of a crime of violence or who was imprisoned for one year or longer. **Senator Heider** said this legislation would alleviate problems encountered when felons return to the school system and engage in gangs, drugs and other harmful behavior. There is no fiscal impact to the General Fund.

MOTION: **Senator Fulcher** moved to print **RS 21773**. **Senator Mortimer** seconded the motion. The motion carried by **voice vote**.

RS 21833 **Senator Thayn** presented **RS 21833** which amends Idaho Code § 33-1004 so that a district may use a portion of instructional staff allowance for visits between the teacher and the parents or guardians. The legislation also makes a technical correction. There is no fiscal impact to the General Fund.

Senator Thayn said the legislation will allow time during the first week of kindergarten for a visit between parents and teachers as a way to form a partnership. He said the bill is not mandated and may be used at the teachers' discretion. Vice Chairman Mortimer questioned the one-week time frame and said that two or three weeks would perhaps be better. **Senator Thayn** replied that teachers do use more time on their own when needed, but a paid week of parent-teacher visits would be of additional help.

MOTION: **Senator Nonini** moved to print **RS 21833**. **Senator Fulcher** seconded the motion. The motion carried by **voice vote**.

Chairman Goedde turned the meeting over to **Vice Chairman Mortimer** in order to present the next two RS's.

RS 21889 **Senator Goedde** presented **RS 21889** which relates to education and graduation requirements and amends Chapter 16, Title 33, Idaho Code by the addition of new section, § 33-1614A, to provide for the reading and comprehension of "Atlas Shrugged," as a requirement for high school graduation. There is no fiscal impact to the state. At the local school district level, the cost of the book, either paper or digital, would have an impact, but the instruction time could be incorporated into both economics and English instruction.

Senator Goedde said this requirement would help combat society's growing indifference toward accepting personal responsibility. **Senator Nonini** asked about, and the committee discussed, the selection of this work.

- MOTION:** **Senator Fulcher** moved to print **RS 21889**. **Senator Patrick** seconded the motion. The motion carried by **voice vote**.
- RS 21779** **Senator Goedde** presented **RS 21779** which amends Idaho Code § 33-357 to provide that both a district's annual budget as well as certain master labor agreements be included on the district's website. Fiscal impact would include minor cost of including digital copies.
- MOTION:** **Senator Pearce** moved to print **RS 21779**. **Senator Nonini** seconded the motion. the motion carried by **voice vote**.
- Vice Chairman Mortimer** returned the meeting to **Chairman Goedde**.
- PRESENTATION:** **Dr. Todd Schwarz**, Administrator of the Idaho Division of Professional-Technical Education (PTE). **Dr. Schwarz** described how PTE focuses on skills and careers in the real world.
- Dr. Schwarz** referred the committee to the 2012 Annual Report (Attachment No. 1) and reviewed programs of study, study framework, services, enrollments and funding. The State General Fund and federal resources were the two primary funding sources for PTE, including funds appropriated by the Idaho legislature (81.75 percent of the PTE budget).
- Postsecondary professional-technical education is delivered through Idaho's six technical colleges. Over 6,300 students participated in Adult Basic Education (ABE) through six regional ABE centers, 40+ outreach centers, department of correction institutions, jails and juvenile corrections facilities. **Dr. Schwarz** said placement statistics are positive; 54.5 percent of students obtained training-related employment, and students pursuing additional education increased by 4 percent from fiscal year (FY) 2007 to FY 2012. He said PTE's goals include hands-on education, critical thinking, innovation, workplace readiness and increased earning capability.
- PRESENTATION:** **Dr. Steve Albiston**, President of the Eastern Idaho Technical College (EITC), reviewed the mission of EITC to provide superior educational services in a positive learning environment that champions student success and regional workforce needs. EITC's geographic reach includes the nine adjacent counties and Bingham County. He described the outreach and instruction programs, enrollment and graduates for FY 2012. Scholarships for FY 2012 were funded by the EITC Foundation and the J.A. and Kathryn Albertson Foundation.
- Questions were asked regarding enrollment, waiting lists, GED graduates' appreciation of higher education and the potential for establishing a community college in eastern Idaho.
- PRESENTATION:** **Mr. Peter Morrill**, General Manager of Idaho Public Broadcasting Station (PBS) reviewed the broad range of services and entertainment provided by the PBS station, including full coverage of the Idaho Legislative sessions, which now includes reception via portable devices. He said local funding provides 65% of its revenues. In November Idaho PBS was rated the number one most viewed station per capita in the nation. Several local programs also have won numerous awards. **Mr. Morrill** said he had requested a budget increase, which was not approved by the governor. Areas at risk are in capital replacement, repairs and maintenance. The station will be completely digital in two years, which will require analog deconstruction projects. He said the station's business model is lean to provide quality programs at the least cost possible.

Senator Durst asked about the possibility of providing a channel specifically for children that airs during the most suitable time for children. **Mr. Morrill** said the station does have one channel that provides this service but it is distributed only to cable subscribers. Overall, however, he said 10.5 hours of children's programming are aired daily. **Mr. Morrill** closed his presentation with a brief clip on the Oregon Trail from Outdoor Idaho. **Chairman Goedde** thanked Mr. Morrill for his informative and entertaining presentation.

ADJOURNED: There being no further business to come before the committee, **Chairman Goedde** adjourned the meeting at 4:33 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, February 06, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|----------------|---|--------------------------------------|
| PRESENTATION | State Board of Education update | Mike Rush |
| PRESENTATION | Western Interstate Commission for Higher Education (WICHE) – Commission and work in Idaho | David Longanecker, Brian Prescott |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

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MINUTES
SENATE EDUCATION COMMITTEE

DATE: Wednesday, February 06, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** convened the Education Committee at 3:08 p.m., and a silent roll was taken.

PRESENTATION: **Dr. Mike Rush**, Executive Director, Office of the State Board of Education (OSBE), opened his presentation with background information. The State Board of Education (SBE), was established by the Constitution, and is the policy-making body for all public education in Idaho. It provides general oversight and governance for public K-20 education, including public community colleges. It serves as the governing board for all of the 4-year institutions in the state as well as Eastern Idaho Technical College. The SBE consists of 8 members, 7 appointed by the Governor and confirmed by the Senate and the Superintendent of Public Instruction. The OSBE provides administrative support to the SBE in the areas of governance, oversight, coordination, policy-oriented agendas, strategic planning and performance data.

The SBE has worked diligently over the past ten years to implement a number of policy changes to improve K-12 education. Recently, that reform focus has shifted to improving results in higher education, because studies show that high education has a direct impact on the standard of living for every Idaho citizen. As a result, the SBE has established a goal in which 60 percent of Idaho citizens aged 25-34 will have a least a one year post-secondary credential by year 2020.

This goal is being addressed with the SBE's program called Complete College Idaho. Its focus is on strengthening the "pipeline" so that students are college-ready when they graduate high school. Other areas of focus are increasing dual credit courses, transforming remediation, improving articulation and transfer, rewarding progress and completion and strengthening collaborations between education and business/industry partners.

Mr. Rush explained that the OSBE also manages almost \$8 million in scholarships for Idaho post-secondary students, and more than 8,000 students receive scholarships each year. A new program, Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP), is a federal grant program designed to increase the number of low-income students who are prepared to enter and succeed in post-secondary education. GEAR UP provides students an opportunity to apply for a 4-year renewable scholarship based upon financial need and level of participation in the program. The GEAR UP Program will serve over 5,500 students in Idaho during the life of the grant. **Mr. Rush** closed with a quote from former Representative Maxine Bell: "It's never about the numbers. It's about people and their lives." Mr. Rush's complete presentation is attached and incorporated by reference.

PRESENTATION: **David Longanecker**, President, Western Interstate Commission for Higher Education (WICHE) explained that his presentation was designed to offer a perspective on "Where is Idaho" in comparison to other western states, the nation, and the world; and to present policy options that are available to Idaho. When looking at attainment of Associate degrees or higher, the United States ranks 15th in the world. This is not because we are losing ground, but because other countries are catching up and exceeding. And where is Idaho? Idaho currently ranks eighth from the bottom in college education of its young adults. Yet Idaho ranks 16th from the bottom in education of its older population. Post-secondary education speaks to the economy of the state. However, Idaho is unique: it is low in income and education, but the data places it in the middle tier, not the lower tier in personal income and economic strength. New industries that have located in Idaho likely account for the change. Demographics also play a roll, and, again, Idaho is unique. The overall number attaining and Associate's degree or higher is not likely to suffer a downturn over all racial categories. Hispanics obtaining degrees have and will continue to increase from about 11 percent to 17 percent over the next 30 years. Even so, the gap between white and hispanic populations in competitive attainment remains at approximately 25 percent.

Mr. Longanecker said that in order to reach its education goals, three policies must synchronize: appropriations, tuition and financial aid. Idaho ranks 30th in the country, slightly below average, in appropriations. But the recent recession has hurt. Idaho experienced the 4th largest cuts in per student funding, down 25 percent from 2006-2011. More people sought education (20 percent more) during that time period which resulted in a net appropriations decree of 20 percent per student.

Tuition fees are the 8th lowest in the nation, nearly \$2,000 per student less than the national average. But that is changing too. Tuition is funding more discretionary revenues, and dependence on net tuition revenue is expected to rise. Idaho ranks 50th in the nation in state supported financial aid.

In looking to Idaho policy options within this context, **Mr. Longanecker** advised four areas: data accountability for informed decision-making, improving preparation for college, improving college completion, and improving affordability for those most in need. Idaho now is part of a four-state data exchange program to track students from high school to college and into the workforce. Improving preparation for college can be enhanced by participation in the Common Core State Standards (CCSS) for English and math. Colleges and universities can play a role by accepting Common Core Assessment for placement, by assisting in dual enrollment and remediation in high school, and by preparing teachers for the use of CCSS.

Idaho participates in the Complete College America program. Time is the enemy for students: the longer period of time that students don't go, or don't return to college, the less likely they ever will. Identifying a student plan early, and placing a student on track so that they can envision where their path might lead, enhances the likelihood of college completion. Unfortunately, remediation is a difficult task and needs redesign.

Idaho's best opportunity lies in affordability: consolidate, simplify, target on need where it makes a difference, provide enough to make a difference and provide students with incentives to take higher courses. Research shows that financial aid makes a difference by gaining access and success for low-income students. For middle-income students, aid provides choice, but impacts little on success.

A discussion ensued concerning the dilemma of need- versus merit-based financial aid and how Idaho ranks with neighboring states. **Mr. Longanecker** described how California and Washington both have strong financial aid programs. New Mexico looks like Idaho, but with a greater need-based population. Oregon tried higher tuition and lower aid, but participation dropped. Traditionally, Idaho has enjoyed low tuition, but it also offers low aid. **Mr. Longanecker** explained how student loan debt has shifted over time. In 1982, student loan debt was \$1 million; at the present time, student loan debt is approximately \$70 billion. Student loan debt is a reasonable way to pay. The return on investment is high. But if students are allowed to incur more debt than needed, the consequence is a high default rate, especially if the student does not finish college and, therefore, doesn't earn higher income needed to pay the debt. **Mr. Longanecker** recommended that the state design a policy for managing student loan debt. He also cautioned about trying to orient students to Science, Technology, Engineering and Math programs, which could do damage to our country: there are not great jobs in the humanities and artistic endeavors, but they are important to our country nevertheless.

ADJOURNED: Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:16 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, February 07, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|----------------|--|--|
| PRESENTATION | Idaho System for Educational Excellence (ISEE) | Joyce Popp, Chief Information Officer |
| PRESENTATION | SchoolNet | Alex MacDonald, Director of Instructional Technology, State Department of Education |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Thursday, February 07, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Nonini, Thayn, Patrick, Durst, Buckner-Webb
- ABSENT/ EXCUSED:** Senator Fulcher
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** called the Education Committee to order at 3:14 p.m., and a silent role was taken, and informed the committee that they would hear a presentation about Idaho's new longitudinal data system, and Schoolnet, which complements that system.
- PRESENTATION:** **Ms. Joyce Popp**, Chief Information Officer for the State Department of Education, stated that in 2007, when Superintendent Luna first took office, Idaho was one of three states in the nation without a Longitudinal Data System (LDS). By 2008, Idaho was the only state, the last state, in the nation without one. **Ms. Popp** defined an LDS as a data collection system that provides individual-level student data across multiple years from grades K through 12 and into postsecondary education. With an LDS, states can ensure that: student records are easily transferred from district to district; student privacy is protected through high-level security; data definitions and requirements are standard from school to school and district to district; and data systems are organized to provide clear, transparent information to educators, policymakers, parents and taxpayers. With an LDS, the state can receive verifiable student-level data for the first time ever. Idaho can more accurately calculate critical statistics such as the graduation rate and dropout rate, among other things. Prior to this system, Idaho had a disorganized data collection system in place that required duplicative reporting from different people through a school district throughout a single year. Now, through the Idaho System for Educational Excellence (ISEE) system, Idaho has streamlined data collection, and all data collection goes through ISEE. It consolidates reporting from 184 times a year under the old system to just 12 times per year, thereby decreasing both errors and personnel involved in the reporting task.
- Ms. Popp** stated that since implementation of ISEE, the state has realized several benefits: First: it can cross reference data that school districts send. This eliminates the problem of one student being counted in multiple districts. ISEE also ensures that a student's race or ethnicity, or a student with a disability, is identified as soon as they enroll in school, so that teachers and school administrators understand from the first day the student populations they are serving. Second: the state has been able to move away from Adequate Yearly Progress (AYP) and develop its own accountability system based on multiple measures, such as Idaho's Five Star Rating System. The Five Star Rating System, which measures proficiency as well as academic growth, graduation rates, advanced opportunities and student scores on college entrance exams, would not have been possible without ISEE. Third, the data collected at the state level is delivered back to the classroom, where teachers, parents and school administrators can use it most. This data access portal is called Schoolnet, and allows teachers to see how each individual student

is achieving, as well as their entire classroom on a daily or yearly basis. While Idaho faces challenges in implementing ISEE, many solutions have come forth, and progress is being made. Ms. Popp's complete speaker notes are attached and incorporated by reference.

PRESENTATION: **Alex Macdonald**, Director of Instructional Technology, SDE, explained that ISEE-Phase II, or Schoolnet, is the instructional management system that makes collected data available and useful for teachers, administrators and parents. With Schoolnet, teachers can work smarter, not harder. They can maximize planning and instructional time while streamlining administrative tasks. Schoolnet was selected after a rigorous review process. In May 2010, representatives from each educational stakeholder group, including school board trustees, parents, teachers, superintendents, principals and technology directors reviewed several instructional management systems that are currently in place in large school districts across the country. Schoolnet received the highest marks from this selection committee. In 2011, the J.A. and Kathryn Albertson Foundation provided a \$21 million grant to the SDE to deploy Schoolnet to every school and classroom, and to provide professional development opportunities. The SDE also provides additional training and support to 15 grantee districts, which is expanding in the coming year. In accepting this grant fund, the state did agree to provide matching funds during the three-year grant cycle and to provide the necessary ongoing funding after the grant expired. This funding was provided through Students Come First. Since these laws have been repealed, Superintendent Luna has requested funding in the FY 2014 public schools budget so the state will meet its obligation to continue providing Schoolnet and professional development opportunities to Idaho teachers, educators, and parents.

Mr. Macdonald next provided a detailed website demonstration of how a teacher would use Schoolnet to develop lesson plans. Mr. Macdonald's powerpoint presentation is attached and incorporated by reference. Following the demonstration, Mr. Macdonald answered several questions from the committee. Schoolnet is currently available in every district in Idaho, on an opt in basis. Currently, fifteen grantee districts are using it fully. A fully integrated district requires approximately two years of professional development which has been available in the fifteen grantee districts. Mr. Macdonald will provide a report on dollars expended to date and future funding needs.

ADJOURNED: **Chairman Goedde** thanked Ms. Popp and Mr. Macdonald for their presentations. Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:25 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #2
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, February 11, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-------------------------|--|--|
| PRESENTATION | Boise State University | Bob Kustra, President |
| RS21933 | Early retirement / Retired teachers | Senator Bayer |
| RS21960 | One year/two year agreements | Karen Echeverria, Idaho School Boards Assn |
| RS21961 | Negotiations; majority representation | Karen Echeverria |
| RS21965 | Employee leave of absence | Karen Echeverria |
| RS21953 | Math and science teachers | Jason Hancock, State Department of Education |
| RS21981 | Fees for out-of-state students | Jason Hancock |
| RS21937 | "Financial Emergency" and Reduction in Force (RIF) | Robin Nettinga, Idaho Education Association |
| RS22009 | Open negotiations sessions | Robin Nettinga |
| RS21911 | Driver's education requirements | Chairman Goedde |
| RS21959 | Reduce school transportation cost | Chairman Goedde |
| RS21901 | School counselor ratios | Senator Durst |
| RS21905 | Class size | Senator Durst |
| RS21921 | School districts / consolidation | Senator Durst |
| RS21941 | Dual credit for early completers | Senator Thayn |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Monday, February 11, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
- ABSENT/ EXCUSED:**
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** called the Education Committee to order at 3:04 p.m., and a silent roll was taken.
- Chairman Goedde** asked unanimous consent be given to print **RS 21933**, pertaining to early retirement and retired teachers; **RS 21960**, pertaining to one year and two year agreements; **RS 21961**, pertaining to negotiations and majority representation; **RS 21965**, pertaining to employee leave of absence; **RS 21953**, pertaining to math and science teachers; **RS 21981**, pertaining to fees for out-of-state students; **RS 21911**, pertaining to driver's education requirements; **RS 21959**, pertaining to the reduction of school transportation costs; **RS 21901**, pertaining to school counselor ratios; **RS 21905**, pertaining to class size; **RS 21921**, pertaining to school districts and consolidation; and **RS 21941**, pertaining to dual credit for those completing required courses early. Hearing no objections, the Committee agreed to print the RSs in question. **Chairman Goedde** then introduced Dr. Bob Kustra, President of Boise State University (BSU).
- PRESENTATION:** **Dr. Kustra** introduced BSU associates in the audience. Then, using Powerpoint slides, **Dr. Kustra** reviewed the current fiscal and physical state of BSU. A copy of the presentation is attached and incorporated by reference.
- Dr. Kustra** noted that recently additional campus space has been provided to address a growing student population, which is expected to slow as the economy continues to improve. Due to lack of resources, attention will be turned to the most pressing university needs that include an Arts and Humanities Institute and a Physical and Material Science building.
- Dr. Kustra** described programs soon to begin at BSU. These will include additional doctoral level programs and additional online programs. BSU also seeks to improve the number of graduates in high demand disciplines such as computer science with the goal of improving innovation and employment in Idaho. **Dr. Kustra** pointed out the changing student profile and reviewed programs to improve the university's ability to adapt to differences created by demographic changes in student populations. He outlined the university's use of external funding, including the Governor's Idaho Global Entrepreneurial Mission initiative (IGEM), in the Computer Science Department. This funding has enabled the university to garner more funds for school programs and increase student graduation rates in areas needed by the local economy.
- Dr. Kustra** described a funding inconsistency among institutions and said additional, permanent funding is needed to address a budget disparity created by more students taking upper level courses. Upper level classes are more expensive than lower level classes, but less funding has been received from the government.

Dr. Kustra focused on the strain that upper division credits have had on BSU; they have increased by nearly 50 percent from 2004 to 2011. This strain is further exacerbated by low growth in new faculty positions as well as more students attending the College of Western Idaho for lower level courses. In 2012, a limited upper division faculty, plus an increase in upper division enrollments, resulted in a waiting list for courses. He said Idaho's college and university budgets are the only major general fund item to receive less state funding today than ten years ago. This financial situation is not sustainable for the university.

Dr. Kustra emphasized that Idaho college graduates earn 67 percent more on average than students with a high school diploma and are 50 percent less likely to be unemployed. He said a highly educated society produces exponential economic growth through tax revenues and less drain on government entitlement programs.

Dr. Kustra encouraged more administrative flexibility by eliminating unneeded layers of review and approval at various state entities. He said increased flexibility would provide BSU, like the University of Idaho, the ability to make business decisions that are critical in a time of decreasing budgets and an increasing need for innovation and creativity in order to succeed.

Senator Durst asked if the legislature could assist colleges in more effectively reaching students. With the exception of finances, **Dr. Kustra** explained that no impediments have been identified by the school that the legislature could ameliorate. **Senator Fulcher** asked about student debt and the impact of increasing debt loads of students on BSU. **Dr. Kustra** replied that students have become more aware of the financial repercussions stemming from their schooling. He said most students find a way to cover the expenses.

Chairman Goedde requested for detail about the impact on the college football team incurred by changing leagues. **Dr. Kustra** replied that the impact was not great. He was not able to give more detail at the time but said he would submit more information when received.

ADJOURNED: Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:00 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

JOINT
**SENATE EDUCATION COMMITTEE
AND
HOUSE EDUCATION COMMITTEE**
4:00 P.M.
WW02 Auditorium
Monday, February 11, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|---------|-------------|-----------|
|---------|-------------|-----------|

"Listening Session" open to the public

RULES:

Please limit your statement to three (3) minutes

Please provide a copy of your written statement to the Senate Page so that you may be recorded accurately in the Minutes.

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

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MINUTES
JOINT MEETING
SENATE EDUCATION COMMITTEE
HOUSE EDUCATION COMMITTEE

DATE: Monday, February 11, 2013

TIME: 4:00 P.M.

PLACE: WW02 Auditorium

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayne, Patrick, Durst, and Buckner-Webb

Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc and Ward-Engelking

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman DeMordaunt** called the Joint Education Meeting to order at 4:05 p.m. He welcomed the guests and explained the rules and protocol of the hearing. He then yielded the floor to Co-Chairman Goedde.

Co-Chairman Goedde explained that the Idaho School Board Association brought seven proposed bills before the House and Senate committees for their consideration. Stakeholders involved were: Parent Teacher Association, Rural School Administrations, Urban School Administrators and the Idaho Education Association (IEA). He said the new proposed legislation contains better language, and, as the bills come through the two committees, a public hearing will again be held. He noted the Governor's Task Force has completed its third meeting. During those sessions, the task force determined that labor relationships were out of their scope of review. Presently, five subcommittees are looking at school improvements, and several good recommendation are coming out of those meetings.

PUBLIC TESTIMONY: **Robin Nettinga**, Executive Director, IEA, said she respected and valued the legislative process. She said the task force needed time and space, and she felt that authentic discussion had not been provided. She stated that the defeat of Propositions 1, 2, and 3 during the November election suggested that public support would be lacking for the 2013 proposed legislation. She said that without public buy-in, change will not be embraced, and she fears that the task force risks failure. **John Olovich**, representing himself, told the committee that passing legislation prior to task force findings, would threaten success of representative reform. He said he was concerned that continued passage of legislation without stakeholder input would put a burden on school districts.

Anne Ritter, President, Idaho School Boards Association (ISBA) and Trustee of Joint School District No. 2, Meridian, explained that the governor has asked the ISBA to take the leadership role on labor issues. She said that if remaining funds from Students Come First were reallocated, the fiscal health of the school districts would be threatened.

Rob Winslow, Executive Director, Idaho Association of School Administrators, explained he represented the superintendents and principals of Idaho's school districts.

Representative JoAn Wood explained the challenges facing Idaho's rural schools. **Erika Kemery**, Superintendent and Principal, South Lemhi School District 292, also spoke of the problems facing the rural schools. She said South Lemhi is a 4-star remote district with two school buildings 25 miles apart: one is 100 years old and one is about 55 years old. There are a total of 82 students from an area of 22 square miles. She noted that passage of the 2012 propositions has left many districts in jeopardy. She also said House Bill 69 did not provide enough funding to meet the cumbersome, financial emergency conditions. She stated it is the legislature's constitutional duty to maintain the system of public, free common schools and urged lawmakers to provide the much needed fiscal stability and the critical flexibility in teacher contracts and operational funds. **Christy Castro**, Troy School District, said his district had 317 students. She focused on the problems of low income students and the need to cut services and positions in the rural schools.

Amy Pancheri, Butte County High School, **Sandra Merrick**, Boise School District teachers, **Deb Foster**, ISBA, Leadore School District, **Gail Chumbley**, Eagle High School, and **Chris Stokes**, representing himself, addressed the problem of retaining the best and brightest teachers in Idaho. They were concerned with class size, demands on teachers, low morale and failure to champion the great things teachers do for children and the community. **Ms. Chumbley** and **Mr. Stokes** expressed concern that an adversarial atmosphere existed between teachers and management during bargaining. **Ms. Merrick** asked lawmakers to restore respect for teachers and to prioritize children over politics. **John McCostie**, representing himself, said teachers and students should be given funding priority and that equality of opportunity is a basic public responsibility. He asked the committees to abide by the November election mandate.

Spencer Larson, Butte County, spoke of the dwindling tax base. **Karen Pyron**, Superintendent Mackay School District 182; **Scott Rogers**, **Ron Perrenoud**, Superintendent and principal, Ririe School District 252; and **Tammy Stevens**, Trustee Minidoka School District asked legislators to review the tax structure and provide adequate school funding. **Ms. Stevens** said technology was vital for poorer populations and districts. **Superintendent Pyron** supports new technology. She also said that pay for performance has been success in her district. She said equity in funding is partially achieved by providing local flexibility, but some form of equity in the tax base is needed. She cited the local taxing abilities, and agreed with **Dallas Clinger** and **Christy Castro** that the loss of business-personal property tax would put a burden on school districts.

Dave Wagers, **Scott Thomson**, **Dan Nicklay**, **Kelly Trudeau**, **Amber Scott Wilson**, **Allen Millar**, **Luda Miller**, **Heather Dennis** and **Troy Schultz** represented Idaho Charter Schools. They testified that Idaho charter schools are placed at a disadvantage without equal unit funding, without facilities funding, and with no ability to levy taxes. **Mr. Wagers**, Idaho Candy Company, said he sees the charter school business model as unsustainable. **Ms. Trudeau** said the charter school gives choice to parents whose children have different learning styles. She added charter schools cannot receive property taxes, only entitlement funds. The Albertson's Foundation and other benefactors were acknowledged for their contributions to keep some charter schools open.

Jerry Helgeson described his discussion with a Bosnian student. He told the committees that other countries have different ways of accomplishing student achievement. He asked for collaboration to continue and paraphrasing President John F. Kennedy, he told the committees: "We choose to become a leader in education change, not because it is easy but because it is hard." **Cherri Sabala**, Northwest Professional Educators (NPE), said that their survey showed that most educators support increased access to technology but do not support mandated online classes. She added that 61 percent of her organization does not support the policy retaining teachers solely on the basis of seniority, and 91 percent support requiring a local association. She did not support online schooling.

Gloria Tortoriquena, representing iSchool Campus, explained the importance of technology and suggested the use of pilot programs as a way of reducing wasteful spending redundancy.

Brian Duncan, Minidoka County Joint School District 331, said he favored Propositions 1, 2, and 3. **Mr. Duncan** noted good management practices have to be separated from personal relationships. **Todd Wells**, Castleford School District Trustee, said teacher negotiations since the propositions had been civil and more fiscally healthy for the district. **Superintendent Scott Rogers**, Minidoka County Joint School District 331, told the committees the funding of schools at an adequate level does not mean funding the status quo. He said schools are eager to implement technology, maintain higher learning standards, and reward good teachers. He added, when finances become scarce, energy is placed on survival, not change. He asked that "use it or lose it" be removed from school funding policy. He said reforms will benefit all stakeholders.

Ryan Kerby, Superintendent of New Plymouth School District, and **Galen Smyer**, Superintendent Cassia School District, described their success in implementing the Common Core State Standards. They agreed that districts must have control of funds and the ability to adjust of salaries. **Joesph Kren**, Superintendent, St. Maries Joint School District 41, described the challenges of running a supplemental levy in a period of declining enrollment. He said operational expenses do not go down. He asked for adequate funding.

Laurie Kiester, Columbia High School, told the committees she had spent several years researching school structure and achievement studying education in countries like Finland. She has formulated an educational plan and said she would like to present it before the education committees.

ADJOURNED: There being no further business to come before the joint committees, **Chairman DeMorduant** adjourned the meeting at 6:01 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #1
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, February 12, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------------|---|---|
| PRESENTATION | Idaho Education Network | Julie Best, Communications Director |
| PRESENTATION | Idaho Department of Corrections | Brent Reinke, Director |
| 47-0101-1202 | Rules of Idaho Division of Rehabilitation: Mediation and formal hearing processes; Field Service Manual incorporated by reference | Tracie L. Bent, State Board of Education |
| 08-0202-1203 | Core Teacher Standards (including world language teachers); Teacher Leader Standards | Nick Smith, State Department of Education |
| 08-0203-1203 | Online Learning Requirement | Nick Smith |
| S 1028 | Ends pilot phase for Mastery Advancement Program | Senators Durst/Thayn |
| DISCUSSION | Funding Discussion | Chairman Goedde |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

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MINUTES
SENATE EDUCATION COMMITTEE

DATE: Tuesday, February 12, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** convened the meeting at 3:00 p.m. and welcomed Ms. Julie Best, Communications Director, Idaho Education Network (IEN).

PRESENTATION: **Ms. Julie Best** opened her presentation by stating that IEN is first and foremost a network that provides access, collaborations and opportunities for students in Idaho. She recognized the IEN team, the Idaho Digital Learning Academy (IDLA) and students at Homedale High School and referred the committee to the IEN handouts (Attachment No. 1).

Ms. Best gave an example of how the Homedale school has used IEN technology to provide students with dual credit Calculus and dual credit science classes via two effective Idaho teachers, Dave Gural and Sandy Powell. Using the overhead projector, she illustrated how an IEN classroom works in a "receive room" layout in the library. The IEN has deployed 241 video teleconference units. This school year is the IEN's first full year with all video teleconference units deployed. Last fall over 60 percent of the units deployed were used regularly; about 30 percent were used occasionally; and fewer than 10 percent of the units were not currently in use.

Dave Gural uses IDLA's video teleconference room on a daily basis, which allows him to accommodate Homedale's schedule. He is currently teaching seven students dual credit Calculus 1. Sandy Powell provides dual credit physics to Homedale students using video conferencing. She teaches 12 students in Emmett and three in Homedale. Both of these teleconferencing teachers are adjunct faculty at Boise State University (BSU). BSU offers dual credit courses to students around the state. This fall, 1,850 students participated in 178 classes of which over 65 percent were dual credit or advance placement, and awarded 3776.5 credits and with 94 percent student retention rate. Dual credit courses currently cost \$65.00 per credit, which reflects an average per credit savings of \$153.00. This savings totaled \$432,990 in the fall of 2012.

Ms. Best reminded the committee that IEN also provides 132 districts in the state with high speed bandwidth. She concluded her presentation with a brief clip of students' remarks about their first experience with IEN classes. In answer to questions from committee members, she said IEN has enjoyed a stellar fall; IEN continues to reach out to those who are not taking advantage of this system by continual monitoring and identification of interest, along with community outreach programs and webinars. She said IEN operates sparingly with a staff of five. **Chairman Goedde** asked about scheduling conflicts of the classroom bell. She said scheduling is a challenge and rests in a willingness to modify those schedules. **Chairman Goedde** thanked Ms. Best for her presentation and recognized Mr. Brent Reinke, Director of the Idaho Department of Corrections.

PRESENTATION: **Mr. Reinke** referred the committee to his handouts (Attachment No. 2) along with a "Challenge Coin," which has a military tradition. He said when a staff member has done something "above and beyond," he or she is given a coin as thanks for doing the right thing for the right reason. Each committee member was given a Challenge Coin for their significant work. **Mr. Reinke** reviewed the latest status of the Department and its 11 facilities. He said the prison population is currently at 8,026. Over 13,000 individuals were incarcerated last year. The prisons operate at 99 percent of capacity, which makes the task of maintaining a focus on education difficult. **Mr. Reinke** said he is at today's meeting because of his Department's commitment to education and said the Department's primary goal is to find ways to bring the prison population down and to maintain a strong focus on education.

Mr. Reinke introduced his associate, Mr. Shane Evans, Chief Administrator of Education. **Mr. Evans** took the podium to present a brief overview of education successes and outlook for the coming year. The Department of Corrections has 2,700 individuals going through the educational programs, which are offered in collaboration with federal partners and private employers. He introduced one of the education program's successes, Mr. Scott Davis. **Chairman Goedde** welcomed Mr. Davis to the podium. **Mr. Davis** described his criminal mentality from an early age and explained how the prison's educational program had helped him. He said he took advantage of every program available during his six years of incarceration and was employed two days after graduation. In answer to questions from committee members, he said it is up to each individual to take advantage of these programs. **Chairman Goedde** asked Mr. Reinke what percentage of prisoners lack a high school diploma. **Mr. Reinke** said 50 percent of the prisoners do not have a high school diploma and 45 percent of those do not read above the 6th grade level. **Chairman Goedde** thanked the presenters, after which Mr. Davis and his wife were given a round of applause.

**PASSED THE
GAVEL:**

Chairman Goedde turned the meeting over to Vice Chairman Mortimer to lead the rules review.

**DOCKET
47-0101-1202**

Vice Chairman Mortimer welcomed **Ms. Tracie Bent**, Management Assistant, State Board of Education, who presented **Docket No. 47-0101-1202**, relating to the Idaho Division of Rehabilitation; mediation and formal hearing processes, and field service manual incorporation. The committee had delayed a vote on this rule until such time as the members had an opportunity to review the manual.

MOTION:

Senator Thayn made a motion to adopt **Docket No. 47-0101-1202**. **Senator Durst** seconded the motion. The motion carried by **voice vote**.

**DOCKET
08-0202-1203**

Vice Chairman Mortimer welcomed **Mr. Nick Smith**, State Department of Education, to the podium to review **Docket No. 08-0202-1203**, which relates to Core Teacher Standards (including world language teachers) and Teacher Leader Standards.

MOTION:

Chairman Goedde made a motion to adopt **Docket No. 08-0202-1203**. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**.

**DOCKET
08-0203-1203**

Mr. Smith presented **Docket No. 08-0203-1203**, which relates to online learning requirements adopted by "Students Come First." The section will be eliminated to align the rule with Proposition 3. **Chairman Goedde** informed the committee of a letter from the State Board of Education, which indicates the rule will be revisited over the interim and sent back to the committee the next legislative session.

Senator Pearce questioned the repeal of this part of the rule if it is going to be brought back next year. **Chairman Goedde** said one piece of the rule needed to be eliminated.

MOTION: **Senator Durst** made a motion to adopt **Docket No. 08-0203-1203**. **Senator Thayn** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: **Vice Chairman Mortimer** turned the meeting back to Chairman Goedde.

S 1028 Senators Thayn and Durst presented **S 1028**, which ends the pilot phase for the Mastery Advancement Program.

A brief question-and-answer period ensued regarding frequency of reporting, participation of schools and fiscal impact. **Senator Thayn** reminded the committee that of 71 eligible students, 41 had enrolled in the program, resulting in \$55,000 in scholarships. The school districts received \$99,000; 35 percent going to Average Daily Attendance (ADA) and 35 percent to the school. The Department of Education is prepared to report on the program every two years. **Senator Durst** said the program allows students to leave for other commitments and return later to take advantage of the scholarship. **Senator Thayn** said approximately 17 districts and charter schools are participating at the present time. The removal of the pilot program and sunset clause would lend permanence to the program which, it was felt, would increase participation.

MOTION: **Vice Chairman Mortimer** made a motion to send **S 1028** to the floor with a **do pass** recommendation. **Senator Pearce** seconded the motion. The motion carried by **voice vote**. **Senators Thayn** and **Durst** will sponsor the bill on the floor.

DISCUSSION: **Chairman Goedde** asked Vice Chairman Mortimer to lead the discussion on funding appropriations prior to his JFAC presentation. An itemization of FY 2013 appropriations, FY 2014 requests by the Superintendent of Schools and the Governor's recommendations was distributed for the committee's reference. Vice Chairman Mortimer reviewed each line item on State Appropriations, Program Distributions, Statutory Requirements and other program distributions. **Mr. Jason Hancock**, Deputy Chief of Staff, State Department of Education explained some of the more complex questions posed by committee members.

Chairman Goedde said he would put the discussion in writing and bring to the next committee meeting for further discussion.

ADJOURNED: There being no further business to come before the committee, **Chairman Goedde** adjourned the meeting at 4:55 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #1
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, February 13, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|---|--|
| MINUTES | Approval of Minutes, January 17, 2013 | Vice Chairman Mortimer |
| MINUTES | Approval of Minutes, January 21, 2013 | Senator Fulcher |
| MINUTES | Approval of Minutes, January 23, 2013 | Senator Thayn |
| MINUTES | Approval of Minutes, January 24, 2013 | Senator Nonini |
| MINUTES | Approval of Minutes, January 28, 2013 | Senator Patrick |
| PRESENTATION | Measures of Effective Teaching (MET) study; presented by video conferencing from Harvard Graduate School of Education | Corrine Herlihy, Project Director, National Center for Teacher Effectiveness, Harvard Graduate School of Education |
| DISCUSSION | Funding discussion (continued) | Chairman Goedde |
| S 1055 | School budgets and master labor agreements | Chairman Goedde |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Wednesday, February 13, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
- ABSENT/ EXCUSED:**
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** convened the Education Committee at 3:03 p.m., and a silent roll was taken.
- MOTION:** **Vice Chairman Mortimer** moved to approve the Minutes of January 17, 2013. **Senator Fulcher** seconded the motion. The motion carried by **voice vote**.
- MOTION:** **Senator Fulcher** moved to approve the Minutes of January 21, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.
- MOTION:** **Senator Thayn** moved to approve the Minutes of January 23, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.
- MOTION:** **Senator Nonini** moved to approve the Minutes of January 24, 2013. **Senator Fulcher** seconded the motion. The motion carried by **voice vote**.
- MOTION:** **Senator Patrick** moved to approve the Minutes of January 28, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.
- PRESENTATION:** **Dr. Corrine Herlihy**, Project Director, National Center for Teacher Effectiveness, Harvard Graduate School of Education, presented findings of the Measures of Effective Teaching (MET) study, by Tom Kane, via live video conference from Harvard Graduate School of Education. Funded by the Bill and Melinda Gates foundation, this three-year study began with the premise that some teachers perform better than others; some of the differences in teacher effectiveness are measurable; and that new teachers tend to have a one-to-two year learning curve. When dealing with adult learners, feedback is important so that action can equal effect. What MET suggests is that the United States is not going to see a dramatic change in student test scores unless a change in teaching takes place, and teaching cannot change without teacher feedback. Unfortunately, teachers today receive very little valuable feedback.
- Ms. Herlihy** stated that the MET project was unique in (1) the variety of indicators tested: 5 instruments for classroom observations, student surveys, value-added on state tests; (2) its scale: 3,000 teachers, 22,500 observation scores, 900+ trained observers, 44,500 students completing surveys and supplement assessments in year one, 3,120 additional observations by principals and peer observers in Hillsborough County, FL; and (3) the variety of student outcomes studied: gains on state math and English language arts, gains on supplemental tests, and student-reported outcomes (effort and enjoyment in class). **Ms. Herlihy** then reviewed in depth how the study was conducted. Her powerpoint presentation of methodology and data is attached and incorporated by reference.

Ms. Herlihy summarized some of the key findings of the study. (1) when assigned randomly, teachers perform consistent with their pre-study results. This finding suggests that teacher effectiveness, not student mix, determines achievement outcome. (2) Students can discern the effectiveness between teachers. (3) The MET student surveys were based on the Danielson model, which is the same model that Idaho uses. (4) Reliability means obtaining the same score no matter which day is observed or which observer participates. (5) Reliability is maximized by numerous samples. (6) Student surveys are more reliable than observational measures. In response to questions by the committee, **Ms. Herlihy** concluded by saying that the MET study is a measure of effective teaching; no intervention was part of this study. If a well-designed survey is conducted, it will be aligned with student achievement. **Chairman Goedde** thanked Ms. Herlihy for her presentation.

**PASSED THE
GAVEL:**

Chairman Goedde passed the gavel to **Vice Chairman Mortimer** who called upon Chairman Goedde to introduce the first bill under consideration.

S 1055

Chairman Goedde explained that **S 1055** requires that both a district's annual budget as well as certain master labor agreements be included on the district's website. This information had been in the code, but was possibly lost in the language of the propositions. Senator Durst asked if the information needed to be searchable; Chairman Goedde replied that the bill does not require it.

MOTION:

Senator Durst moved that **S 1055** be sent to the Senate floor with a **do pass** recommendation. **Senator Thayn** seconded the motion. The motion carried by **voice vote**.

**PASSED THE
GAVEL:**

Vice Chairman Mortimer passed the gavel back to Chairman Goedde.

Chairman Goedde opened a discussion about education budget recommendations for his presentation before the Joint Finance and Appropriations Committee. Since Vice Chairman Mortimer sits on that committee, **Chairman Goedde** asked Vice Chairman Mortimer to lead the discussion. A line-by-line review of the education budget ensued with recommendations from committee members. **Jason Hancock**, State Department of Education, supplied additional facts concerning various budget items. **Chairman Goedde** said that he would develop a recommendation package for final review at the next committee meeting.

ADJOURNED:

Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:30 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, February 14, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|----------------------|---|---|
| MINUTES | Approval of Minutes, January 22 | Senator Pearce |
| MINUTES | Approval of Minutes, January 30 | Senator Fulcher |
| MINUTES | Approval of Minutes, February 1 "Listening Session" | Senator Nonini |
| MINUTES | Approval of Minutes, February 6 | Senator Mortimer |
| HEARING | Committee consideration of the Gubernatorial appointment of Gayle L. O'Donahue to the Public School Charter Commission | |
| HEARING | Committee consideration of the Gubernatorial appointment of Wanda Chillingworth Quinn to the Public School Charter Commission | |
| HEARING | Committee consideration of the Gubernatorial appointment of Brian Scigliano to the Public School Charter Commission | |
| H 81 | Removes sunset clause on purchasing processes | Marilyn Whitney, State Board of Education |
| H 84 | Public School Facilites - responsibility for safety and responsibility for compliance | Marilyn Whitney |
| H 83 | Proprietary schools; surety bonds | Marilyn Whitney |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Pearce
Sen Fulcher
Sen Nonini

Sen Thayn
Sen Patrick
Sen Durst
Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
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MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Thursday, February 14, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
- ABSENT/ EXCUSED:**
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** convened the Education Committee at 3:01 p.m., and a silent roll was taken. He announced a re-order of the agenda, and introduced the first bill to be heard before the committee.
- H 81** **Marilyn Whitney**, State Board of Education, stated that **H 81** removes a sunset clause that allows the public institutions of higher education to continue to have discretion, under the direction of the State Board of Education, for all items not relating to statewide purchasing contracts. This flexibility in purchasing relates to complicated and expensive purchases that the university's purchasing staff is in the best position to execute. During the 2010 session, legislation was passed to eliminate duplication of effort in the state purchasing system that existed between the Division of Purchasing and the university and college purchasing departments. Both efficiency and customer service were improved. The original legislation included a sunset clause to provide for a review to ensure the new processes operated successfully. After review of three years of purchasing practices under this legislation, it is the consensus of all parties involved that the sunset clause should be removed to continue the efficiencies gained for the state. In answer to a question by Senator Goedde, **Ms. Whitney** confirmed that the situation which gave rise to this bill came from Boise State University.
- MOTION:** **Senator Buckner-Webb** made a motion that **H 81** be sent to the Senate floor with a **do pass** recommendation. **Senator Patrick** seconded the motion. The motion carried by **voice vote**. Senator Buckner-Webb will carry the bill to the floor.
- H 84** **Ms. Whitney** stated that the proposed changes outlined in **H 84** amend the statute related to the Public School Facilities Cooperative Funding Program, Section 33-909, Idaho Code, to specify that all projects approved under this statute remain under the purview of the program's panel until finalized. The proposed change, which is shown on page 3 with the addition of Section 8, clarifies that it is the Division of Building Safety that performs the regular permitting, plan review and inspection, and certifies the building for occupancy. Once a certificate of occupancy has been granted, the responsibility for the safety and compliance of the building is returned to local jurisdiction. In 2006, the Idaho legislature established an ongoing, state-funded system for the repair or replacement of unsafe school facilities when school districts are unable to fund the projects themselves. The act created a panel within the Office of the State Board of Education, consisting of the Administrator of the Division of Building Safety, the Administrator of the Division of Public Works and the Executive Director of the State Board of Education to administer and supervise these projects. The change proposed by this legislation applies only to projects

that are approved by this panel and funded by the state. This statute has been used only once to address an unsafe school building in the Plummer-Worley School District. **Senators Nonini** and **Pearce** asked questions concerning the payback period. Ms. Whitney responded that in this case, the original project cost \$10.6 million, and \$1.4 million had been paid back. While the payback period states "not to exceed 20 years", it could conceivably take longer for payback to occur; however the SBE was very careful in reviewing the financial viability of the school district involved. **Vice Chairman Mortimer** questioned the ongoing authority once a certificate of occupancy had been issued. **Ms. Whitney** confirmed that once the SBE had issued a certificate of occupancy, responsibility for ongoing maintenance and safety would be returned to the local district and building authority.

MOTION: **Senator Nonini** made a motion to send **H 84** to the Senate floor with a **do pass** recommendation. **Senator Pearce** seconded the motion. The motion carried by **voice vote**. Senator Nonini will carry the bill to the floor.

H 83 **Ms. Whitney** explained that the proposed changes outlined in **H 83** would allow a proprietary school greater flexibility in establishing a surety bond as required by Section 33-2406, Idaho Code. This bill applies only to "proprietary schools." A proprietary school is a non-degree granting, private, for-profit school. This bill allows alternate financial instruments to be used in place of, or in conjunction with, a surety bond. Such alternate financial instruments must be of equal value to the surety bond requirements. With changes in the insurance market, schools were having difficulty meeting the requirement. This allows schools additional options to manage the insurance requirement in order to guarantee the performance of the school. The bond and any other financial instruments must still cover the revenue from the previous academic year. In addition, the school must submit the alternate instrument to the Executive Director of the State Board of Education who will determine if it provides necessary protection for students. Alternate insurance can include an escrow fund where business can deposit funds. An irrevocable letter of credit would be another alternative. It would need to be a fund not accessible for other purposes. **Senator Durst** asked several clarifying questions concerning bond assurance and liability. **Ms. Whitney** replied that any alternative financial instrument to need to meet the same level of coverage that a surety bond carries. She did not believe liability would be an issue because these financial instruments would be carefully vetted.

MOTION: **Vice Chairman Mortimer** made a motion to send **H 83** to the Senate floor with a **do pass** recommendation. **Senator Pearce** seconded the motion. The motion carried by **voice vote**. Vice Chairman Mortimer will carry the bill to the floor.

GUBERNATORIAL APPOINTMENT HEARING: **Gayle L. O'Donahue** of Nampa, ID was appointed to the Public Charter School Commission (Commission) to serve a term commencing on May 12, 2012 and expiring May 12, 2016. She has served on the Commission for the past three years and seeks reappointment. **Ms. O'Donahue** provided the committee with a short biography of her personal and professional life. Her application and resume are attached and incorporated by reference.

Senator Fulcher suggested to Ms. O'Donahue that a role on the Commission has multiple facets: oversight, enforcement and advocacy. He asked her thoughts on how to balance those roles. **Ms. O'Donahue** replied that in the early stages of the commission, less oversight was required, with more focus on support and advocacy. Over the years, the role has developed into one of educating schools to avoid mistakes, and upholding high standards, while protecting the students and public interest. When reviewing a school, **Ms. O'Donahue** looks at whether the school is upholding its charter; she tries to guide without being heavy handed. If a pattern develops that warrants correction, then that is the time to step in. **Senator Durst** asked how Ms. O'Donahue views the relationship between the local school district and charter schools. She replied that it varies by district, but that generally, collaboration is very good with everyone working to ensure the best for students. Some shared programs, such as sports, have enhanced the cooperative relationship. **Senator Durst** asked a hypothetical question wherein a group of parents wanted to start a charter school and a local district did not want it. He asked her opinion of the role that the arbitrator should play in this situation. **Ms. O'Donahue** replied that in the past, potential charter schools have come before the Commission for assistance primarily because the local school district has lacked the time to address their application. **Senator Pearce** noted that Nampa has been very active in establishing charter schools, and asked if the need has now been filled. **Ms. O'Donahue** replied that waiting lists continue. The local school district has also created some choices, such as engineering programs, which she sees as very positive. Opportunities exist to continue providing choices for students. **Senator Buckner-Webb** asked how to ensure that charter schools do not become "separate but not equal." **Ms. O'Donahue** explained that the lottery system works in favor of equality. The focus lies in continuing to get the word out and to advertise so that all parents have the opportunity to participate. Once accepted, each student will have their needs addressed. **Senator Buckner-Webb** asked what roles, beyond choice, that charter schools play. **Ms. O'Donahue** replied that the star rating system attests to their role in meeting students academically. She also stated that for many students, coming to school is the safest part of their day and the best meal of the day. Educating students to become good citizens plays an important role as well. **Senator Durst** asked Ms. O'Donahue's view of funding equity. She replied that while charter schools are grateful to be in the public school structure and receive funding, she does feel validity in their request for a better means of funding for facilities in order to keep the schools open and viable. **Senator Durst** asked whether all members of the Commission should be professed advocates of charter schools or whether different opinions would be valuable. **Ms. O'Donahue** replied that those who serve should have understanding and appreciation of what is best for students.

**GUBERNATORIAL
APPOINTMENT
HEARING:**

Wanda Chillingworth Quinn of Coeur d'Alene, ID was appointed to the Public Charter School Commission (Commission) to serve a term commencing on May 12, 2012 and expiring May 12, 2016. She has served on the Commission for the past year and seeks reappointment. Ms. Quinn provided the committee with a short biography of her personal and professional life. Her application and resume are attached and incorporated by reference.

Senator Fulcher asked Ms. Quinn whether it was a failure of the system if a school fails, or was it a sign that the system was working properly. **Ms. Quinn** responded that in her experience in working on non-profit boards, a shared conviction is not enough to overcome lack of business and financial experience within the board. **Senator Nonini** asked why she sought appointment to the Commission last year. She replied that she enjoys policy-making and has embraced the idea of choice. She has experience in California and feels qualified to use that experience in Idaho. She agreed that facilities funding is an issue and hopes it can be supported with legislation. She fully supports the charter school concept. **Senator Durst** asked what Ms. Quinn thought about the original role of charter schools to be the incubators of ideas to be exported to the public school system. He said charter schools now appear to have created another system. **Ms. Quinn** responded that parents have the opportunity to move their child between charter and public schools, and often do for various reasons. Charter schools offer a good opportunity for research and development, and offer parents a choice.

**GUBERNATORIAL
APPOINTMENT
HEARING:**

Brian Scigliano of Boise, ID was appointed to the Public Charter School Commission (Commission) to serve a term commencing on September 17, 2012 and expiring May 12, 2016. He has served on the Commission as commissioner at large for the past four months and seeks reappointment. **Mr. Scigliano** provided the committee with a short biography of his personal and professional life. His application and resume are attached and incorporated by reference.

Senator Thayn asked Mr. Scigliano for his vision of charter schools in the next five to ten years. He replied that he believed that charter schools would expand, but that quality must continue. The proposed legislation is beneficial for the charter schools. Noting that Mr. Scigliano has seven children, **Senator Pearce** asked if any of his children had attended charter schools. **Mr. Scigliano** replied that his children had not, but that he is also the father of a two-year old child. Having grown up in a family of educators, **Mr. Scigliano** said the subject of choice was always an active topic, and he wants choice for his young child. **Senator Durst** noted that Mr. Scigliano lives in Boise, and stated his strong need to protect the Boise School District. **Mr. Scigliano** replied that the attitude appeared positive and that charter schools added a choice in areas that public schools could not. **Senator Nonini** noted that Mr. Scigliano was the newest member of the Commission, but that his first two votes were to deny two charter school petitions. **Senator Nonini** asked why he voted to deny them. **Mr. Scigliano** answered that he had been uncomfortable with the financial consultant represented in those petitions, and had doubt and reservation of the viability of the initial petition. **Senator Nonini** asked if Mr. Scigliano saw himself has an advocate, a regulator or an adversary. **Mr. Scigliano** said that his position was as an advocate and a regulator.

Chairman Goedde thanked the candidates for their appearance before the committee and advised that the committee would vote on their appointments at a future meeting.

MOTION: **Senator Fulcher** made a motion to adopt the Minutes of January 30, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.

MOTION: **Senator Pearce** made a motion to adopt the Minutes of January 22, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.

MOTION: **Senator Nonini** made a motion to adopt the Minutes of February 1, 2013 "Listening Session." **Senator Fulcher** seconded the motion. The motion carried by **voice vote**.

MOTION:

Vice Chairman Mortimer made a motion to adopt the Minutes of the February 6, 2013 "Listening Session." **Senator Fulcher** seconded the motion. The motion carried by **voice vote**.

Chairman Goedde announced that the committee's page, Taylor Davis, had completed her appointment with the Senate and invited Taylor to say a few words. **Ms. Davis** thanked the committee for the opportunity, and added that she "had a blast" and learned a lot. **Chairman Goedde** presented her with letters of appreciation from the committee, a letter of recommendation, and a watch bearing the Idaho State Senate seal. **Chairman Goedde** then introduced Abigail Sweet, from Nampa, ID who will serve the Senate in its second half of the session. **Ms. Sweet** stated that she was home schooled, and that her sister had also been a Page. She was looking forward to her time in the Senate.

ADJOURNED:

Having no further business before the committee, **Vice Chairman Mortimer** adjourned the meeting at 4:16 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, February 18, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|---|---|
| DISCUSSION/ VOTE | Confirmation Hearing of Gayle L. O'Donahue to the Public Charter School Commission to serve a term commencing May 12, 2012 and expiring May 12, 2016 | |
| DISCUSSION/ VOTE | Confirmation Hearing of Wanda Chillingworth Quinn to the Public Charter School Commission to serve a term commencing May 12, 2012 and expiring May 12, 2016 | |
| DISCUSSION/ VOTE | Confirmation Hearing of Brian Scigliano to the Public Charter School Commission to serve a term commencing September 17, 2012 and expiring May 12, 2016 | |
| S 1092 | Funding for math/science teachers | Tom Luna/Jason Hancock |
| S 1093 | Budgeting for pupil transportation | Chairman Goedde |
| S 1097 | Out of state students | Nick Smith, State Department of Education |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Monday, February 18, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst, and Buckner-Webb
- ABSENT/ EXCUSED:**
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** called the Education Committee meeting to order at 3:05 p.m., and a silent role was taken.
- Chairman Goedde** announced that three gubernatorial appointments were before the committee for confirmation. **Senator Durst** expressed a general comment: he feels that it is important to continue to support charter schools. He is also concerned about continuing to appoint people to the Public Charter School Commission (Commission) who hold the same perspective. He believes members with different perspectives would strengthen the Commission.
- GUBERNATORIAL CONFIRMATION:** **Senator Pearce** made a motion to send the gubernatorial appointment of Gayle L. O'Donahue to the Public Charter School Commission to the floor with a recommendation that she be confirmed by the Senate.. **Senator Nonini** seconded the motion. The motion carried by **voice vote**. Senator Pearce will sponsor Ms. O'Donahue on the floor.
- GUBERNATORIAL CONFIRMATION:** **Vice Chairman Mortimer** made a motion to send the gubernatorial appointment of Wanda Chillingworth Quinn to the Public Charter School Commission to the floor with a recommendation that she be confirmed by the Senate. **Senator Thayn** seconded the motion. The motion carried by **voice vote**. Chairman Goedde will sponsor Ms. Quinn on the floor.
- GUBERNATORIAL CONFIRMATION:** **Senator Thayn** made a motion to send the gubernatorial appointment of Brian Scigliano to the Public Charter School Commission to the floor with a recommendation that he be confirmed by the Senate. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**. Senator Thayn will sponsor Mr. Scigliano on the floor.
- S 1092** **Jason Hancock**, State Department of Education (SDE) introduced **S 1092** explaining that passage of this bill would bring permanent funding for math and science in school districts. The class of 2013 is the first class that math and science requirements apply. The Students Come First laws, which were defeated in November 2012, contained monies to fund these positions. **S 1092** reinstates language for fiscal year (FY) 2014-15; **H 65** is also a "fix bill." **Vice Chairman Mortimer** noted that this funding has been on a line item basis for three years, and questioned if it were being put in the base. **Mr. Hancock** replied that in the report of line items for FY 12 and FY 13, it is actually shown in the statutory based apportionment. It came out of the base because of the repeal, and **S 1092** puts it back in. If successful, these dollars will be ongoing in future years and part of the base. **Vice Chairman Mortimer** asked if **S 1092** contains a sunset clause. **Mr. Hancock** replied no because no sunset clause exists in the math and science graduation requirements. **Senator Durst** asked why alternative

schools were not included. **Mr. Hancock** explained that in most alternative schools around the state, high school staff is shared with alternative schools. A discussion ensued concerning the definition of alternative schools. **Mr. Hancock** stated that charter schools would be included in this funding if they taught the 10th-12th grades. **Senator Thayn** asked for clarification as to how these funds would be allocated. **Mr. Hancock** responded that an exhaustive study was conducted to study the impact of the math and science requirements, the impact upon schools, and how prepared the districts were to meet the requirements. At the direction of the SDE, they looked at every school in every district which did not have access to a supplemental levy. If a district had additional resources and enough students, they could hire an additional math or science teacher on their own. In districts with no additional resources, and smaller number of students, they could demonstrate need. A provable, documentable need formed the basis of the distribution formula. In schools that demonstrated need, but had fewer than 30 enrollments, funding would support the Idaho Educational Network or other online classes. In schools with more than 30 enrollments and a documented need, funding would support a whole teacher.

Robin Nettinga, Executive Director for the Idaho Education Association (IEA) voiced opposition to **S 1092**, not because it was a bad idea, but because **H 65** also addresses a "fix" for a shorter term, rather than **S 1092** which would make the funding permanent. She would like to see the governor's task force finish its work and make recommendations. **Chairman Goedde** explained that **H 65** deals with the 2013 budget, but did not address the 2014 budget. **S 1092** would ensure that funding for math and science teachers would be available next year. **Vice Chairman Mortimer** further explained that the increased requirement for math and science has been in place since 2007, well before the 2012 propositions. **Senator Durst** asked Jason Hancock his perspective on adding a sunset clause. **Jason Hancock** responded that this funding was rolled into Proposition 1 by happenstance; it would have run as a stand-alone bill without a sunset clause, just as graduation has no sunset.

MOTION:

Senator Fulcher made a motion to send **S 1092** to the Senate floor with a **do pass** recommendation. **Senator Pearce** seconded the motion.

SUBSTITUTE MOTION:

Senator Durst called for a substitute motion that **S 1092** be sent to the 14th Order for amendment. **Senator Buckner-Webb** seconded the motion. In discussion, **Senator Durst** felt it prudent to fund math and science for the current year, but wanted to wait for the task force to finish its work. If the task force had no solution, then he would support this bill. **Senator Thayn** asked Rob Winslow, Executive Director of the Idaho Association of School Administrators, whether or not a sunset clause would make a difference to administrators. **Mr. Winslow** replied that a sunset clause creates uncertainty because administrators would always be concerned if the funding would continue and whether or not they could hire.

VOTE ON SUBSTITUTE MOTION:

Chairman Goedde called for a vote on the substitute motion to send **S 1092** to the 14th Order for amendment. The motion failed by **voice vote**.

ROLL CALL VOTE:

Chairman Goedde called for a vote on the original motion to send **S 1092** to the floor with a **do pass** recommendation. **Senator Durst** requested a **roll call vote**. **Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Vice Chairman Mortimer** and **Chairman Goedde** voted **aye**. **Senators Durst** and **Buckner-Webb** voted **nay**. The motion carried. Senator Fulcher will sponsor the bill on the floor.

PASSED THE GAVEL:

Chairman Goedde passed the gavel to Vice Chairman Mortimer.

S 1093

Chairman Goedde introduced **S 1093** by recalling that prior to 2010, transportation costs of the school district were reimbursed at 85 percent of what had been spent the prior year. The districts had no incentive to save money. In 2010, a block grant program was instituted whereby districts were reimbursed 40 percent of their actual costs. Under this plan, any funds the districts saved out of the remaining 60 percent would transfer to the district's discretionary fund. This block grant was originally funded through intent language in a joint resolution before the Joint Finance and Appropriations Committee (JFAC). Through **S 1093**, the SDE seeks is to make the block grant permanent in the Idaho Code.

Senator Durst asked Jason Hancock to explain how it impacts local districts. **Mr. Hancock** replied that every district would be reduced proportionally. However, the more a district spent on transportation, the more impact they might experience. Districts which have spent more money on transportation may have more opportunity for savings than districts running on a lower budget. Through intent language, this policy has already been in place and has yielded some result. The money saved has shifted down to discretionary funds to provide more flexibility to the district. **Vice Chairman Mortimer** clarified further: Last year, \$69,973,600 was spent on transportation. If this change is not made, the state would be required by statute to spend \$75 million. If **S 1093** is adopted, the new budget requests transportation funds of \$67 million. The remaining \$7 million would be transferred into discretionary funds.

MOTION:

Senator Thayn made a motion to send **S 1093** to the Senate floor with a **do pass** recommendation. **Senator Fulcher** seconded the motion. In discussion, **Senator Durst** asked Mr. Hancock to provide a detailed report by district prior to the third reading of this bill. The motion carried by **voice vote**.

S 1097

Mr. Nick Smith, State Department of Education, began discussion of **S 1097** by detailing the history which gave rise to the bill. An Alaska school district determined that one of its students would be better served by placement in a Meridian group home. The Meridian school district accepted the child; however, the receiving home had no input. The child had severe emotional disabilities and required two full-time aids at a substantial expense to the district. This additional expense exceeded the amount that the state provides to the district to educate Idaho children. Under **S 1097**, the receiving district would be allowed to charge the sending district for the additional funding. **Senators Durst, Patrick** and **Fulcher** raised concerns about the residency status of such a child, since 30 days in Idaho constitutes residency. They also questioned the definition of "home or homes", and did not want confusion with foster care homes. **Vice Chairman Mortimer** agreed that the language needed to be very clear in order to avoid arbitrary decisions.

MOTION:

Senator Nonini made a motion to send **S 1097** to the 14th Order for amendment. **Senator Thayn** seconded the motion. The motion carried by **voice vote**.

ADJOURNED:

Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:09 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #1
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, February 19, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|--|---|
| PRESENTATION | State-wide efforts to reform remediation | Selena Grace, Chief Academic Affairs Officer, State Board of Education; representatives from U of I, BSU, and NIC via EIN |
| PRESENTATION | Colorado League of Charter Schools | Jim Griffin, President |
| MINUTES | Approval of Minutes, January 29, 2013 | Senator Durst |
| MINUTES | Approval of Minutes, February 5, 2013 | Senator Buckner-Webb |
| S 1089 | Repeal of Early Retirement Incentive Program | Senator Bayer |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Tuesday, February 19, 2013
TIME: 3:00 P.M.
PLACE: Room WW55
MEMBERS PRESENT: Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
ABSENT/ EXCUSED: Chairman Goedde

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Vice Chairman Mortimer** called the Education Committee to order at 3:05 p.m., and a silent roll was taken.

PRESENTATION: **Vice Chairman Mortimer** welcomed Dr. Selma Grace, Chief Academic Affairs Officer, State Board of Education (SBE). **Dr. Grace** introduced Dr. Lita Burns, Vice President for Instruction, North Idaho College (NIC); Dr. Heidi Estrem, Associate Professor and Director of the First-Year Writing Program, Boise State University (BSU); and Dr. Monte Boisen, Chair, Department of Mathematics, University of Idaho (UI), to speak on various approaches to remediation on their campuses.

Dr. Grace used a slide presentation and handouts (see attachment 1) to review the results of the SBE's remediation reform efforts. She said the SBE is committed to increasing the educational attainment of Idaho's citizens. In June 2012, they approved the revised Complete College Idaho Plan. The three initiatives included in this plan are to: (1) clarify and implement college and career readiness education and assessment; (2) develop a statewide model for transformation of remedial placement and support; and (3) provide three model options for remediation: co-requisite, emporium and accelerated.

Dr. Grace said a key component of addressing the remedial need is implementation of the Idaho Core State Standards (ICSS), which will help address the misalignment between K-12 education, college and career expectations. She said current standards are not rigorous enough. During the 2011-12 school year, 74.4 percent of first-time freshman students, graduating within the prior 12 months and attending an Idaho community college, required remediation. For students attending a four-year college, that number was 26.2 percent.

Dr. Grace said by implementing the ICSS, revising assessment and placement tools and practices, and updating the delivery models, students will be better prepared, will be placed more accurately, and will transition more seamlessly into credit-bearing courses.

Dr. Lita Burns spoke about NIC's Summer Bridge Program (Math Boot Camp), via the Education Internet Network (EIN). The boot camp was founded to address the need for math appropriate courses that aligned with professional-technical education (PTE). The program focuses on contextualized remediation in the area of math placement testing preparation and intensive student class services. The goal was to measure math level prior to the boot camp; those students, whose scores suggested the need for remedial tutoring, were enrolled in a four-week course to ready them for the fall semester. Results showed that through intensive integration in class plus tutoring, 90 percent of boot camp students were able to be placed in a college-level class.

Dr. Heidi Estrem, Associate Professor and Director of the First-Year Writing Program at Boise State University, explained on the new English 101+ course. Unlike the former English 90 course, a remedial, non-credit course, English 101+ is identical to English 101, but remedial students receive an additional 85 hours of non-class support and finish with seven college-level credits. This approach eliminates the stigma of English 90 and builds confidence, since students integrate into a class with a wider range of writers. Because the course is new, hard data does not yet exist on the success of English 101+, but BSU expects the class to aid in increased student retention as well as lower overall costs.

Dr. Monte Boisen, Chair of the Department of Mathematics, University of Idaho, reviewed the Polya Math Learning Center program and explained how the program provides students with remediation assistance (see attachment 3). The program focuses on completion of Math 108, which is not considered to be a remedial course, but is the lowest level pre-Calculus course offered for credit at Idaho colleges and universities. In the Polya approach, students are treated as individual learners. Rather than using the one-size-fits-all approach, which has been taught for many years, each student receives the level of support that he or she needs, utilizing technology to expose them to the material. He said 30 percent of students pass who take one or two remedial courses and then take Math 108. In comparison, 50 to 60 percent pass who take Math 108 using the Polya approach. **Dr. Boisen** said his department is currently working to create additional learning tools to help those students become even more successful. Because of the flexible nature of the Polya Math Learning Center, he said it will be easy to connect appropriate students with these learning tools.

Vice Chairman Mortimer asked Dr. Grace to explain what is being done in the K-12 classes to reduce the need for remediation prior to college. **Dr. Grace** said the ICSS is most important. **Vice Chairman Mortimer** thanked the presenters for the information and complimented the SBE for its work.

PRESENTATION: **Vice Chairman Mortimer** welcomed Mr. Jim Griffin, President, Colorado League of Charter Schools, who presented an analysis of charter school facilities in Idaho (see attachment 4). **Mr. Griffin** said the focus of his analysis is on facilities because this area has been a problem from the beginning. He said a comprehensive survey of facilities, published in 2008, has helped shape policies. **Mr. Griffin** said other states have asked the Colorado League of Charter Schools for help. Washington State has also helped fund a national survey, which is now in its third year.

Mr. Griffin said that in some states, charter schools receive tax initiative assistance to help with facilities, but this is not the case in Idaho. Lack of funding assistance results in smaller schools an insufficient amenities, such as gymnasiums and cafeterias. In addition, he said that only 35 percent of Idaho charter schools have kitchens which qualify for federal support. The rest receive no federal support to provide hot lunches.

A question-and-answer period ensued relative to percentage of state appropriations for charter schools, and the permanence of and funding for charter school facilities. **Mr. Griffin** did not have data on the percentage of state appropriations for facilities. He said that if charter schools are to be part of Idaho's future, the state must deal with facilities funding, and that a number of financing tools exist to simplify the process. **Vice Chairman Mortimer** thanked Mr. Griffin for his report.

MOTION: **Senator Durst** moved to approve the minutes of January 29, 2013. The motion was seconded by **Senator Thayne**. The motion carried by **voice vote**.

MOTION: **Senator Buckner-Webb** moved to approve the minutes of February 5, 2013. The motion was seconded by **Senator Thayne**. The motion carried by **voice vote**.

S 1089

Vice Chairman Mortimer recognized **Senator Bayer**, who explained **S 1089**. This legislation repeals § 33-1004G, Idaho Code, relating to the Early Retirement Incentive program for teachers, which distributes bonuses to teachers who are at least age 55, are retiring before age 63, and before reaching their Public Employees Retirement System of Idaho (PERSI) "Rule of 90" (age plus years of teaching). **Senator Bayer** explained the program was originally established in 1996 as a way to encourage teachers to retire who did not wish to receive technology training and incorporate technology into instruction. He said all remaining teachers have long since received technology training, which has been a requirement in Idaho teacher preparation programs for many years. **Senator Bayer** emphasized that **S 1089** will ensure that limited dollars remain in the classroom, as they have in FY12 and FY13, and are not diverted to pay bonuses to those who are no longer teaching. He said if the legislation is not passed, the cost the General Fund will be an additional \$3.6 million, beginning in FY14. If the legislation passes, there will be no additional cost to the General Fund.

TESTIMONY:

Vice Chairman Mortimer welcomed **Ms. Robin Nettinga**, Executive Director of the Early Retirement Incentive Program (ERIP), Idaho Education Association (IEA), who testified in opposition to **S 1089**. **Ms. Nettinga** described a hypothetical teacher who began work at age 22, left to raise a family from age 27 to age 44, and then returned to teaching. She said without ERIP, nothing will exist to help that teacher reach the "Rule of 90" unless she works well beyond retirement age. She said ERIP is a cost savings to the state because, by leaving, the older, higher-paid teachers create space for less experienced, generally lower-paid teachers to take their place. **Ms. Nettinger** also said that since the inception of ERIP, more than 51 percent teachers who retired between 1996 and 2009 used the program, which verifies its importance.

Vice Chairman Mortimer asked Mr. Jason Hancock, Deputy Chief of Staff, State Department of Education, to provide details on cost versus savings relative to the ERIP program. **Mr. Hancock** said he was in favor **S 1089** because there was proof of savings during the past two years of curtailment. He distributed a handout showing his Department's calculations on the cost of ERIP and commented further that teachers retire for a host different reasons, usually not because of the ERIP incentive. His handout is attached and incorporated by reference **Senator Bayer** summarized the rationale for adoption of **S 1089**.

MOTION:

Senator Patrick moved to send **S 1089** to the floor with a **do pass** recommendation. **Senator Fulcher** seconded the motion.

**ROLL CALL
VOTE:**

Senator Durst requested a roll call vote. **Senators Pearce, Fulcher, Nonini, Thayn, Patrick** and **Vice Chairman Mortimer** voted **aye**. **Senators Durst** and **Buckner-Webb** voted **nay**. The motion carried. **Senator Bayer** will carry **S 1089** to the floor.

ADJOURNED:

Having no further business to come before the committee, **Vice Chairman Mortimer** adjourned the meeting at 4:36 p.m.

Senator Mortimer
Vice Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, February 20, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|--|---|
| PRESENTATION | North Idaho Consortium for Higher Education (NICHE) | Mark Browning, State Board of Education; Kathy Martin, Lewis-Clark State College; Charles Buck, U of Idaho; Lyle Castle, ISU; Mark Wheeler, BSU |
| H 82 | Workers compensation for postsecondary students | Marilyn Whitney, State Board of Education |
| S 1057 | Kindergarten teacher/parent visits | Senator Thayn |
| S 1091 | IDLA Funding, portal for online classes; dual credit for early achievers | Senator Thayn, Senator Durst |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

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MINUTES
SENATE EDUCATION COMMITTEE

DATE: Wednesday, February 20, 2013
TIME: 3:00 P.M.
PLACE: Room WW55
MEMBERS PRESENT: Vice Chairman Mortimer, Senators Pearce, Nonini, Thayn, Patrick, Durst, and Buckner-Webb
ABSENT/ EXCUSED: Chairman Goedde and Senator Fulcher
NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Vice Chairman Mortimer** called the Education Committee to order at 3:06 p.m., and a silent role was taken.

PRESENTATION: **Mark Browning**, Vice President for Community Relations and Marketing, North Idaho College (NIC) introduced the North Idaho Consortium for Higher Education (NICHE) and its representatives from NIC, Lewis-Clark State College (LCSC), University of Idaho (UI), Boise State University (BSU) and Idaho State University (ISU). NICHE began as an alliance between NIC, LCSC and UI in 1999, and expanded with state funding to include BSU and ISU. The purpose of NICHE is to work cooperatively to recruit, retain and facilitate student completion and their success. Between the five schools, NICHE offers a wide variety of offerings including completion certificates, Associate degrees, Bachelor's degrees and advanced masters and doctoral programs, all on one integrated campus in Coeur d'Alene. **Mr. Browning** introduced Marc Stewart of LCSC to address some of NICHE's marketing efforts.

Mr. Stewart described NICHE's efforts under IdahoGoes to reach students and help them find their career direction. Through presentations in junior and high schools, college career nights, and community outreach, NICHE helps students to define their goals, illustrate future employment opportunities, and outline the requisite educational requirements to meet those goals. The NICHE members also work cooperatively to recommend the best institution for each student's goals. **Mr. Stewart** stated that, according to research surveys, people often change careers five to six times in their working life. Therefore, a broad base of knowledge in the first two years of college is very important so that people can come back into the educational system and focus on new interests rather than on fundamental courses. **Vice Chairman Mortimer** noted that inequities usually exist within partnerships, and asked how those inequities manifest within NICHE. **Mr. Stewart** replied that NIC benefits greatly, and BSU often refers students. Online courses enhance degree opportunities beyond the second year, especially in social sciences. **Vice Chairman Mortimer** thanked Mr. Browning and Mr. Stewart for their presentation.

H 82

Marilyn Whitney introduced **H 82** by explaining that the proposed changes outlined in this bill would align the workers compensation laws contained in Section 72-102, Idaho code, so that postsecondary students receive the same workers compensation coverage that K-12 students receive while completing work experience credit hours. This bill amends the definition of "work experience student" to include any person enrolled in the public school districts or public institutions of higher education. The proposed changes also modify Section 72-205, Idaho Code to allow a university or college to purchase coverage for students through the State Insurance Fund. Under Idaho Code, higher education institutions currently are not allowed to purchase separate coverage for students in these situations. This change provides the same protection for postsecondary students as the current statute provides to secondary students.

Senator Nonini asked for an example of a K-12 work situation. **Ms. Whitney** responded that high school students may work an internship with a local business or computer company for credit hours. They are covered on the state's workers compensation program, but college students are not offered that coverage. **H 82** would provide equal coverage. A discussion ensued concerning the compensating value of a college credit, the value of loss of life or limb when no monetary compensation exists, and the minimal cost to colleges and universities for workers compensation coverage versus a potential liability. **Vice Chairman Mortimer** suggested that the real value of this bill lies in protecting colleges and universities from liability. In looking at risk, the Industrial Commission would categorize the type of worker and charge the institution that amount.

MOTION:

Senator Thayne made a motion to send **H 82** to the Senate floor with a **do pass** recommendation. **Senator Buckner-Webb** seconded the motion. Additional questions in discussion revealed that the State Board of Education (SBE) had reviewed the bill with the Departments of Labor and Commerce with no objections. **Senator Nonini** suggested that postsecondary students likely were omitted by oversight. He hoped that universities would be prudent in the kinds of jobs students are asked to perform. The motion carried by **voice vote**.

S 1057

Senator Thayne explained the **S 1057** allows a portion of teaching hours to be used for visits between kindergarten teachers and parents. The goal is to strengthen the relationship by discussing the kindergarten experience and expectations of both teacher and parent. A program in Portland, ME finds that home visits help prepare for the school year in many ways: students get to know their teachers in their home where they are most comfortable. Parents can discuss their concerns. The result has been more confidence in kindergartners and less tears from parents on the first day of school. Everyone had a positive experience. **Senator Thayne** noted that **S 1057** would help to accomplish these achievements. Participation is voluntary, not required, and the location of the visits can be in home or at school. **Senator Buckner-Webb** asked clarifying questions concerning the time used for these visits and how it would effect classroom hours. **Jason Hancock**, State Department of Education (SDE), confirmed that schools must meet the minimum of 450 hours for kindergarten. He also suggested that schools could set up their year to meet requirements and provide visit time.

MOTION:

Senator Durst made a motion to send **S 1057** to the Senate floor with a **do pass** recommendation. **Senator Pearce** seconded the motion. The motion carried by **voice vote**. **Senator Thayne** will carry **S 1057** on the floor.

S 1091

Senator Durst explained that **S 1091** creates a stable, long-term funding formula for the Idaho Digital Learning Academy (IDLA), sets up a portal for online learning so that districts know what online courses are being offered, and reestablishes the dual credit for early completers. **Senator Durst** detailed the new funding formula, based on a two tier distribution, that would (1) cover digital learning fixed expenses that districts would incur regardless of their number of students or administrators, and (2) provide variable funding that is more comprehensive and inclusive. **Senator Thayne** said that the legislation also reinstates the dual credit for early completers program, defines online classes, and establishes guidelines to ensure that students enroll in online classes which would meet graduation requirements. **Rob Winslow** said that the Idaho Association of School Administrators (IDLA) does not oppose the legislation. Ongoing funding has always been a concern, and the IDLA can work with the proposed formula provided it is fully funded. **Senator Pearce** asked if the JFAC budget included IDLA funding. **Vice Chairman Mortimer** confirmed the funds, and **Jason Hancock** provided specific numbers. **Mr. Hancock** further stated that the SDE stands in support of this legislation: the funding fits within the superintendent's budget, and the SDE believes **S 1091** offers opportunities to challenge high-achieving students.

MOTION:

Senator Nonini made a motion to send **S 1091** to the Senate floor with a **do pass** recommendation. **Senator Pearce** seconded the motion. The motion carried by **voice vote**. **Senators Durst** and **Thayne** will carry the bill on the floor.

ADJOURNED:

Having no further business before the committee, **Vice Chairman Mortimer** adjourned the meeting at 4:17 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #2
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, February 21, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|----------------|--------------------|------------------|
|----------------|--------------------|------------------|

THE EDUCATION COMMITTEE DID NOT MEET

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

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MINUTES
SENATE EDUCATION COMMITTEE

DATE: Thursday, February 21, 2013
TIME: 3:00 P.M.
PLACE: Room WW55
MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst, Buckner-Webb
ABSENT/ EXCUSED:
NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
CANCELLED: The Education Meeting for this date was cancelled due to lengthy debate of bills in the Senate.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, February 25, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|---|--|---|
| PRESENTATION | Battelle for Kids - Advancing Student Growth and Teacher Effectiveness | Jim Mahoney, Executive Director; Nadja Young, Education Specialist SAS EVAAS for K-12 |
| HCR 3 | Cursive Writing | Rep. Linden Bateman |
| UNANIMOUS CONSENT REQUEST FOR RS 22067 | Security and safety measures in K-12 schools and transportation systems | Senator Hagedorn |
| UNANIMOUS CONSENT REQUEST FOR RS 22094 | Authorizing public postsecondary institutions to operate public charter high schools | Senator Winder |
| UNANIMOUS CONSENT REQUEST FOR RS 22095 | Providing for the education of children at Northwest Children's Home | Senator Winder |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, February 25, 2013
TIME: 3:00 P.M.
PLACE: Room WW55
MEMBERS PRESENT: Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
ABSENT/ EXCUSED: Chairman Goedde

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Vice Chairman Mortimer** convened the meeting at 3:10 p.m. and welcomed representatives from Battelle for Kids (BFK), Dr. Jim Mahoney, Executive Director; John Hussey, Chief Strategy Officer; and Nadja Young, MEd, National Board of Certified Teachers, from the SAS Institute.

PRESENTATION: **Mr. John Hussey** took the podium and introduced Dr. Jim Mahoney, Executive Director of Battelle for Kids (BFK). **Mr. Hussey** said that BFK has been bringing educators together since 2001 to realize the power of value-added analysis and formative instructional practices as drivers of student success, in combination with other measures and effective practices for school improvement. He said value-added analysis is a statistical method that measures the impact schools and teachers have on students' academic progress rates from year to year.

Mr. Hussey said BFK is a national leader in creating and sustaining collaborative networks of school districts focused on leading and learning together to improve college and career readiness. BFK proposes to partner with SAS Institute as the provider of value-added growth measures, projections and report hosting to support Idaho in this work. **Mr. Hussey** said building a coalition of those willing to learn from and support each other around the use of value-added data, rather than judgment, is the right strategy at the right time for Idaho.

Mr. Hussey introduced Nadja Young, Education Specialist, SAS EVAAS (Education Value-Added Assessment System) for K - 12. **Ms. Young** took the podium with a slide presentation explaining the SAS EVAAS program (see attachment 1). She said the system provides policy makers and educators with a powerful tool to ensure that all students have plentiful choices and increased opportunities for learning. **Ms. Young** said the SAS solution includes reporting on (1) value-added and growth models, which assess influence on student progress at the district, school and teacher levels, (2) diagnostic tools to determine teaching effectiveness with different types of students and (3) students' projections to future tests.

Ms. Young explained that EVAAS is used for continuous school improvement activities across 25 states and is proposed to be used in Idaho to leverage effective teaching, provide earlier interventions for students at risk for underachievement, identify and increase student enrollment in rigorous course work, track program effectiveness and facilitate parent-teacher conversations.

The committee asked questions concerning how the data findings were used, participation in the program, and costs. **Ms. Young** said the program works with districts or states using either a base year or an average. Each student is compared against himself; measuring against a student's expectations. Often the districts will provide data; testing vendors can also provide data. She said the state of Ohio pays SAS; the cost depends on the information. **Vice Chairman Mortimer** thanked the presenters for bringing this information to the committee.

HCR 3

Vice Chairman Mortimer called on Representative Linden Bateman to present **HCR 3**. **Representative Bateman** reviewed the concurrent resolution, which requests that the State Board of Education commence rulemaking to provide that cursive handwriting be taught in the public schools of Idaho. He said the Common Core State Standards (CCSS) program does not include cursive writing in its standards and **HCR 3** would make this a standard. He said cursive writing is languishing because of the increasing use of electronic technology. He also said the No Child Left Behind Act placed handwriting in grade schools on the back burner. **Representative Bateman** said response to HCR 3 has generally been very positive.

In answer to questions from the committee, **Representative Bateman** said cursive writing is still being taught in grade schools, but because the CCSS program has dropped it as a requirement he believes it will eventually become negated. He emphasized that **HCR 3** is simply a request to take leadership on the issue before the art form vanishes.

TESTIMONY:

Dr. Peter Wollheim, Professor Emeritus of Communications, Boise State University; **Tammie Odenbrett**, Zaner-Bloser; and **Ronalee Linsenmann**, private citizen, each testified in support of this legislation. They emphasized a continuing need for cursive writing in schools and said that research shows this form of writing enhances brain function related to memory, verbal and schematic thinking, and left-side brain conceptualization. They also expressed the belief that without the study of cursive writing, future researchers will be unable to read historical documents.

A question-and-answer period ensued relative to scholastic time constraints, optimum grade level for teaching this subject, additional costs, and research on brain development with respect to cursive writing. **Vice Chairman Mortimer** thanked the testifiers and called Representative Bateman to the podium to summarize his arguments.

MOTION:

Senator Nonini moved that **HCR 3** be sent to the floor with a **do pass** recommendation. **Senator Pearce** seconded the motion. The motion carried by **voice vote**. **Senator Nonini** will carry the bill to the floor.

**UNANIMOUS
CONSENT
REQUEST FOR
RS 22067**

Senator Hagedorn took the podium to outline **RS 22067** requirements for security and safety measures in K-12 schools and transportation systems. He explained that the provisions in this legislation are suggestions only with no requirements imposed on school districts. He said the objective is to have a law in place where a board of trustees can work with a county sheriff or designee to ensure the safety of students. He said the details for the process will be at the discretion of the board of trustees.

Vice Chairman Mortimer asked for unanimous consent to send **RS 22067** to the Judiciary and Rules Committee to be printed and returned to the Education Committee. There were no objections.

**UNANIMOUS
CONSENT
REQUEST RS
22094**

Vice Chairman Mortimer recognized Senator Winder for presentation of **RS 22094**, which authorizes public postsecondary institutions to operate a public charter high schools. In answer to a question posed by Senator Durst, **Senator Winder** replied there are funding problems, solutions to which are currently being reviewed. He said these charter schools are currently designated as alternative schools.

**UNANIMOUS
CONSENT
REQUEST RS
22095**

Senator Winder also presented **RS 22095**, which provides for the education of children at Northwest Children's Home. He said this legislation is specific and directs funding through the education funding process and the Health and Welfare Department. He said there is currently an effort underway that will cover funding for the coming year, but there is a need to solve the problem of permanent funding. Funding of \$690,000 has been approved by the Joint Finance and Appropriations Committee.

Vice Chairman Mortimer asked for unanimous consent to send **RS 22094 and RS 22095** to the State Affairs Committee to be printed and returned to the Education Committee. There were no objections.

ADJOURNED: Having no further business before the committee, **Vice Chairman Mortimer** adjourned the meeting at 4:36 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, February 26, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|---|------------------|
| PRESENTATION | Compass Academy Magnet School via live video conferencing - discussion with students and teachers | |
| S 1098 | Open Session Negotiations | Robin Nettinga |
| S 1087 | Academic Progress for driver's licenses | Chairman Goedde |
| H 65 | Concerning 2013 Education Budget | Chairman Goedde |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Tuesday, February 26, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
- ABSENT/ EXCUSED:**
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** called the Education Committee to order at 3:03 p.m., and a silent roll was taken.
- Chairman Goedde** announced that the committee would be travelling to Idaho Falls via robot to visit the Compass Academy Magnet School who had presented its innovated project-based approach to education earlier in the session.
- PRESENTATION:** **Alex Macdonald**, Director of Instructional Technology, State Department of Education (SDE) introduced "Vego" (VGO), a robot the size of a 5-year old child. VGO technology allows interaction between a computer and the robot. For example, it allows a child who, perhaps for health reasons, cannot come to school to interact and participate with his class. Mr. Macdonald showed a short video clip illustrating this point. In the video, a child sat in front of his computer at home. His live image was displayed on the VGO robot which was in the classroom. The robot, in turn, provided live video feed back to the child's computer. The child could actively participate with the class, raise his hand to ask or answer questions, as if he were present in the classroom. The robot runs on WiFi or any 4G network at full speed of approximately two miles per hour, either indoors or outdoors.
- Mr. Macdonald then established the live video interaction with VGO in the Compass Academy classroom, where **Matt Bertasso**, Director, invited Chairman Goedde to "drive" the robot around the room to visit various student project groups as they worked on a science-English project involving hydroelectric energy. One student described their online learning platform which, by logging into their computer, showed class schedule, projects, status of assignments, grades, and allowed students to email their instructor. In another part of the classroom, a teacher conducted a 15 minute workshop about bias, the pros and cons of an argument, a concept which would become relevant as the students explored hydroelectric energy and then wrote an essay either in support of or against such energy use.

Chairman Goedde next guided VGO to a six-member student panel which took questions from the committee. Noting that Compass Academy blends subjects, such as English and science into one class, **Chairman Goedde** asked the students how those subjects worked together. They replied that one of the English standards requires learning new vocabulary, in this case, a science vocabulary, and also requires writing in the context of that vocabulary. Another student offered that in one project, the students read a science fiction book about outer space; they learned about the laws of motion, and then wrote an essay. With several groups meeting at once, **Senator Thayn** asked if they had difficulty concentrating due to the noise. The students all agreed that noise was not a problem as long as they concentrated on the conversation of their group. **Vice Chairman Mortimer** asked their opinion of the differences between Compass Academy and their former traditional high school. The students responded that Compass Academy offered more freedom in learning. In traditional classes, they were told specifically what to do; at Compass Academy, "it's not just memorizing names and dates, but using yourself to figure it out," and ensuring everyone is "on the same page" with resource applications and knows the same thing. Collaboration between the students influences how the project is presented and graded. "You really want that A."

VGO next facilitated an interview between the committee and six teachers. **Vice Chairman Mortimer** asked them to compare their teaching experience between traditional high school and Compass Academy. One teacher replied that he had been frustrated in the traditional high school setting. He felt as though he were teaching to the lowest common denominator, where fast learners were bored and slow learners still were behind. At Compass he teaches to a higher level. Fast learners can soar with nothing holding them back, and he can spend more time with slower learners. The math teacher said that in traditional schools, she taught drills and practice with occasional story problems. At Compass Academy, the application problem is discussed first so that students understand how math is being applied. Then they work several problems using the same concept. Grading at Compass Academy is 50 percent content, and the remaining 50 percent is a combination of other professional skills, such as collaboration, communication and resource application. Students learn to use language, science and math in the real world.

Vice Chairman Mortimer also asked the teachers to compare teacher preparation. The teachers all agreed that they spent more time on preparation; however, every hour in the classroom was more productive and enjoyable, so they are willing to put in the extra time. The teachers were excited about their projects, and the students were excited as well. **Senator Fulcher** asked about interaction and responses from parents. The teachers replied that parents had concerns at the beginning, but that concern has diminished with time. One teacher said that he felt that education in general was not doing enough to empower parents to help their children. He thinks about ways to help, such a parent workshops. Prior to Compass Academy, he never would have thought along those lines because he had no power to be heard. At Compass Academy, everyone on staff has a voice. The committee thanked the teachers for their comments and their outreach to students, parents and the community.

H 65

Chairman Goedde announced that, due to lingering questions on funding, **H 65** would not be heard until a later date.

S 1098 **Chairman Goedde** welcomed Robin Nettinga, Executive Director of the Idaho Education Association (IEA) to present **S 1098**. **Ms. Nettinga** stated that **S 1098** represents a compromise between the various stakeholders: the Idaho Association of School Administrators (IASA), the Idaho School Boards Association (ISBA) and the IEA. The legislation is broken into three parts. Section 1: adds one word "publicly" to the definition of negotiations in § 33-1272. Section 2: (1) requires that all negotiations are held in public and are open to the public, (2) requires all documents exchanged between parties be subject to public disclosure laws, and (3) requires that notices of meetings be posted as early as practicable (24 hours, and on the front page of the district website). Section 3: is an emergency clause to assure that, if approved, the practice of open negotiations will be in place for this year. **Karen Echeverria**, Executive Director of the ISBA, testified that the ISBA supports public negotiations.

MOTION: **Senator Patrick** made a motion to send **S 1098** to the Senate floor with a **do pass** recommendation. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**. **Senator Patrick** will carry **S 1098** to the floor.

PASSED THE GAVEL: **Chairman Goedde** passed the gavel to **Vice Chairman Mortimer** who called **Chairman Goedde** to the podium to present **S 1087**.

S 1087 **Chairman Goedde** explained that **S 1087** came as a result testimony by a driver's education teacher at the joint committees' second Listening Session. Currently, a student under the age of 18 must provide proof that he attends school in order to obtain a driver's permit and driver's license. **S 1087** adds a section that requires a statement that the student also is making satisfactory academic progress. The new section does not define academic progress; it is intended the local districts will make that determination themselves, thus accounting for differences between urban and rural districts. Page 2 of the existing section provides for a district to waive the requirement for hardship. The purpose of this legislation to acknowledge that a driver's license is a privilege, not a right, and it may encourage students to more actively participate in their education.

Senators Durst, Buckner-Webb, Patrick, Thayn, Nonini and **Vice Chairman Mortimer** asked several clarifying questions. **Chairman Goedde** responded that the provision would apply to home schooled students by a statement from whomever was providing the home teaching; online courses could be measured by task time on the computer which is regularly tracked; and the provision would not place any additional burden on private schools over public schools. If a student dropped out of high school and later started a General Education Degree program (GED), the provision for academic progress would apply. If a student reached the age of 16 and did not want to go to school, then he would fail to meet the attendance requirements for a driver's licence. Districts regularly submit attendance information to the Department of Transportation so that students can obtain permits and licenses. **Chairman Goedde** reminded the committee that the definition of academic progress would be determined by individual districts, just as attendance requirements are determined locally.

MOTION: **Senator Patrick** made a motion to send **S 1087** to the Senate floor with a **do pass** recommendation. **Vice Chairman Mortimer** seconded the motion. In discussion, **Vice Chairman Mortimer** wanted to ensure that this legislation did not place undue burden on the districts or the Department of Transportation. He felt that students should be making academic progress and was comfortable with leaving the determination to the districts. **Senator Fulcher** expressed concern with the impact on private schools and stated that he would not support the bill. **Chairman Goedde** called for a **roll call vote**. **Senators Patrick** and **Durst, Vice Chairman Mortimer** and **Chairman Goedde** voted **aye**. **Senators Pearce, Fulcher, Nonini, Thayn** and **Buckner-Webb** voted **nay**. The motion failed.

**PASSED THE
GAVEL:**

Vice Chairman Mortimer passed the gavel back to Chairman Goedde.

ADJOURNED:

Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:11 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, February 27, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|---|---|---|
| PRESENTATION | Think Through Learning | Louis Piconi |
| PRESENTATION | Idaho Commission for Libraries | Ann Jolin, State Librarian |
| UNANIMOUS CONSENT REQUEST TO PRINT RS 22072 | Acknowledging Award of Excellence received by Boise School District | Senator Buckner-Webb |
| H 163 | Confirming of personnel employment status | Karen Echeverria, Idaho School Boards Assn. |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Wednesday, February 27, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee to order at 3:06 p.m., and a silent roll was taken.

Jerome Filip, student from Boise State University, and serving as an Senate Intern, introduced the Senate Concurrent Resolution commending the Boise Independent School District (District). He explained that the District had done such an outstanding job of implementing the Read Right Program that they have been honored with the 2013 Read Right Award of Excellence. The Read Right program was originally funded by the J.A. and Kathryn Albertson Foundation to provide an avenue for students from diverse backgrounds to become successful readers. The Boise District is one of only seven recipients to receive this prestigious award, and one of just two school districts. Mr. Filip's complete remarks are attached and incorporated by reference.

UNANIMOUS CONSENT REQUEST TO PRINT RS 22072 **Chairman Goedde** asked for unanimous consent to send **RS 22072** to the Judiciary and Rules Committee to be printed and returned to the Education Committee. There were no objections.

PRESENTATION: **Glen Zollman**, Vice President of Implementation Services, Think Through Math (TTM), summarized his background as a math teacher during which time he taught many remedial math students. He has been with TTM for five years. Think Through Math is America's premier math differentiation system—a Web-based curriculum proven to raise math achievement for students in grades 3 through Algebra I. The program is designed to meet the rigors of the Common Core State Standards (CCSS) and accelerate students to grade level. With an instructional focus on the essential foundational concepts and practices, Think Through Math deepens understanding and skill proficiency. The program provides a personalized CCSS pathway for every student. The goal: readiness for college and career for all.

Mr. Zollman explained that as students transition from elementary mathematics to middle school, many start to lose interest in academic success. Think Through Math is designed to transform how students feel about math and dramatically improve their achievement. The program deepens students' understanding of critical mathematical concepts, improves higher-order thinking and problem-solving skills, and readies students for Algebra and beyond.

TTM's philosophy is that motivation plus student effort, plus computer-adaptive instruction plus live state-certified teachers equals a measurable contribution to students' mathematical growth. Its number one goal is to motivate students to do more math and transform the way they feel about math. Because Think Through Math meets students in their zone of proximal development, students quickly achieve success which is a meaningful reward to struggling students. Many students are significantly stressed or fatigued by mathematics. Too many have never experienced success with math and have given up. However, results show that the more students engage with Think Through Math, the more they learn, and the more they improve. Think Through Math motivates students to do more math both during and after school with its uniquely 21st century motivation system—a powerful blend of intrinsic and extrinsic motivators. The system is based on a single idea: reward effort. Students are awarded points for each problem undertaken.

Mr. Zollman described TTM's three tiers of motivation: long-term team and classed based, short-term individual and team based, and random individually based. TTM sets up fun contests with prizes such as the iPod Shuffle and iPod Nano. Students win by completing math problems online. These contests often run over holiday periods or spring break to motivate students to work math problems when they are not in school. Others track how many problems students undertake during evenings and weekends. One short-term contest, customized for Idaho, pits Idaho versus West Virginia math students. Another, Idaho Math Cup, allows a class as a whole to compete against other peer classes. Long-term class and team goals motivate students to donate their math points to charities such as Special Olympics, United Way, Wounded Warrior Project, Boys and Girls Clubs of American and Big Brothers Big Sisters. Over \$56,000 has been donated over the last two years. This program originated in Idaho and 50 percent of students now donate to charities. In the past they had not known how to give, but 50 percent of students also know of someone who has been impacted by these charitable groups which makes them want to complete math problems in order to give to others.

The adaptive learning component of TTM tailors new questions built upon previous answers. It continues to adapt to each individual student, resulting in an efficiency of time. Real time interaction from state certified teachers offers specific instruction to convey deep conceptual understanding. Students can also text or chat with instructions, which provides a very safe and anonymous interaction. Active teachers on evenings and weekends allow parents to become positive reinforcers rather than frustrated helpers. **Mr. Zollman** reported that on a year-to-year basis, the program is gaining momentum; their target is 10 million math problems completed this year. Results show gains in the Idaho Scholastic Assessment Test (ISAT) for students who began at below-basic levels. **Senator Nonini** asked Mr. Zollman to explain teacher training. **Mr. Zollman** replied that in Idaho, three instructors coach full-time and provide all training to classroom teachers. Standard training consists of three hours of implementation: how to have success in classrooms and how to make TTM an integrated part of the classroom. The coaches visit two additional times per year to observe and coach, discuss best practices and to look at student data to help reinforce teacher progress. **Chairman Goedde** asked how TTM complements or correlates to Kahn Academy. **Mr. Zollman** replied that Kahn Academy's instructional videos and problems are a solid program for those students working at grade level, but is not as successful with students who are behind. TTM is more robust in terms of feedback and adaptability. **Chairman Goedde** thanked Mr. Zollman for his presentation. Mr. Zollman's powerpoint presentation is attached as Exhibit 1 and incorporated by reference.

PRESENTATION: **Ann Joslin**, Idaho State Librarian and Director of the Idaho Commission for Libraries (ICL), gave a brief overview of the history of the Idaho Free Library Commission which was created as a state agency in 1901. One hundred twelve years later, Idahoans still want traditional library services, and they also want 24 hour access, seven days a week to electronic information services, and a place, both physical and virtual, to participate in their community. A new survey from the Pew Research Center's Internet and American Life Project shows that Idaho's circulation and reference increased significantly over the past five years, and that use of the Libraries Linking Idaho (LiLI) databases increased 65 percent in just the past two years. Today the ICL has built and maintains a library of online resources to Idahoans through any internet connection.

Ms. Joslin explained that their largest area for growth lies in supporting digital literacy training in libraries. Their broad program entitled "From Readers to Leaders" encompasses several components. Read to Me (RTM) focuses on early childhood literacy, and provides access to books for young children who are unlikely to have books at home. With a \$100,000 appropriation in 2012, the RTM project was able to offer mini-grants to elementary schools and public libraries for their book budgets. The Routes to Reading grant for Grade Level Reading, one of only 19 awarded nationwide, adds a new dimension to RTM, by providing access to quality children's books in rural communities. It has also created "Books to Go" for preschools and child care centers so that busy parents can take home bags of library books to read with their children, and provides information for parents on how they can develop their children's early literacy skills. Science, Technology, Engineering and Math (STEM) content has also been added into the RTM programs. Over the past twelve years, the summer reading program has increased by almost 300 percent.

Together with broadband speed support and new devices, the new LearningExpress Library supports students from community colleges and the workforce in computer literacy, technical certifications, job interview skills and resume improvement, career information and preparation for General Education Degrees (GED) or college entrance exams. The most-used resources in 2012 were related to the GED test, which soon will be offered only online. Survey results show that Idahoans use library online resources to interview online for a new job, to find scholarships, to find customers, and many other specific purposes. Seventy percent of rural areas report that libraries are their only source of free internet access in their communities, and provide primary access to the economy, business resources, and education.

Community outreach efforts include working with Health and Welfare staff to notify health care providers that their patients can access their online health records at the library; working with education groups to provide information about cyberbullying, and working with Idaho Public Television and the Idaho Department of Labor to create an online JobSeekers Handbook. Ms. Joslin's complete speaker's notes and handouts are attached as Exhibit 2 and incorporated by reference.

H 163

Karen Echeverria, Executive Director, Idaho School Boards Association (ISBA) explained that **H 163** sets out criteria for the return of teacher contracts each year so the school district will know in ample time who is returning for employment. It aligns the return of the contracts with the one year master agreements. It will also allow the school district to send those contracts via email, return receipt requested, rather than through the U.S. Mail, return receipt requested. After meeting with the Idaho Education Association (IEA), we made one amendment to this bill. That amendment will now require the local district to send the contract through U.S. Mail, if the contract that was previously sent via email has not been returned during the allotted time. **Ms. Echeverria** indicated that all stakeholders had reached consensus.

Bert Marley, representing the IEA, agreed the stakeholders had reached consensus on **H 163**. He stated that proof of delivery had always been required in delivery of contracts, and that the IEA had not been aware of any instance where a district had used the U.S. Mail, return receipt requested to deliver contracts to professional personnel. However, if in the unlikely event that a district would need to send contracts to employees, this bill would now provide an additional, less expensive method for doing so. **Mr. Marley** assured the committee that the IEA supports this legislation.

MOTION: **Senator Nonini** made a motion to send **H 163** to the Senate floor with a **do pass** recommendation. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**. **Senator Nonini** will carry the bill on the floor.

ADJOURNED: Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:14 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Auditorium, WW02
Thursday, February 28, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-----------------------|--|------------------|
| MINUTES | Approval of Minutes, January 31, 2013 | Senator Nonini |
| MINUTES | Approval of Minutes, February 7, 2013 | Senator Pearce |
| MINUTES | Approval of Minutes, February 11, 2013 | Senator Durst |
| MINUTES | Approval of Minutes, February 12, 2013 | Senator Pearce |
| PRESENTATION | Parent Teachers Association | Laurie Boeckel |
| H 177 | College Savings Program | Rep. Lynn Luker |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Thursday, February 28, 2013
- TIME:** 3:00 P.M.
- PLACE:** Auditorium, WW02
- MEMBERS PRESENT:** Chairman Goedde, Fulcher, Thayn, Patrick and Durst
- ABSENT/ EXCUSED:** Vice Chairman Mortimer, Senators Pearce, Nonini and Buckner-Webb
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** called the Education Committee to order at 3:22 p.m., and a silent roll was taken. He acknowledged that several committee members were absent due to long debates in other committees.
- Chairman Goedde** welcomed the Parent Teachers Association (PTA) and the students who were visiting from around the state. He also acknowledged Laurie Boeckel from the PTA and thanked her for her contributions.
- PRESENTATION:** **Laurie Boeckel**, Idaho PTA Legislative Vice President, said that the PTA is the oldest and largest volunteer child advocacy association. Members consist of thousands of Idahoans including parents, teachers, students and other community members, who advocate on important issues including education, safety, and health issues that impact every child. Idaho PTA's legislative priorities this session have included education funding issues, meaningful parental involvement, proper management of Idaho Endowment Lands and safety issues facing children on Idaho's roadways, including other dangers facing them while transiting to and from school. Ms. Boeckel acknowledged and honored over 100 students from across Idaho who came to experience the Capitol and have an opportunity for their voices heard. Ms. Boeckel introduced Kasey Teske, the Robert Stuart Middle School Principal (RSMS) in Twin Falls, ID.
- Kasey Teske** said that he had begun his teaching career at the elementary school level. Now, as Principal at RSMS, he said, "It takes all of us." He and his staff have learned to do more with less, which he attributes to the high expectations and collaboration with teachers and parents to expend more effort on behalf of their real resource: the students. He introduced his students attending the session, indicating that they all were Honor Council students and that they played a student leadership role at RSMS. Next, **Mr. Teske** introduced Brooke Brown, Brittney Hollstrom, and Chyna Moody.

Ms. Brown and **Ms. Hollstrom** spoke alternatively, saying that they like their school because the teachers are helpful and provide assignments which are both educational and fun. They like the advanced placement courses because they are placed with peers of the same viewpoint, while other classes can focus on those needing additional help. **Ms. Hollstrom** talked about online learning and the Idaho Digital Learning Academy (IDLA). She found the program helpful, but disliked that too much time lapsed between completing assignments and posting of grades. **Ms. Brown** stated that she is very concerned with class size which has dramatically increased, and worries about the students' continued ability to receive one-on-one assistance from their teachers. She thinks the Common Core State Standards are "great", and said that tutoring at RSMS was very good. **Ms. Moody** stressed the need to motivate Idaho students to seek higher education. **Mr. Teste** agreed that he was excited about CCSS. The key is adequate support and he does not know how much longer they can do more with less. Regarding IDLA, he said that 6th and 7th graders were now taking keyboarding classes. The committee thanked the students for their attendance and for speaking to the committee, complemented them on their ability to express themselves, and applauded their academic and college goals.

Chairman Goedde called a short recess, and then introduced Representative Lynn Luker to present **H 177**.

H 177

Representative Luker explained that **H 177** is a funding bill designed to update a Section 529 college savings program which was instituted in 1996. The program sets up a tax deferred savings plan to encourage parents and grandparents to save for their children's college education. This bill makes changes to remove restrictive language regarding financial institutions, and provides flexibility as markets change. It also reduces the operating expenses of fund management. **Representative Luker** introduced Mr. Perry from the treasurer's office to explain further. **Mr. Perry** said that his office had looked at the strengths and weakness of the program, and how to make the program more affordable. Management fees have been reduced for larger programs. Currently, Idaho pays a management fee based on 75 basis points, whereas surrounding states, such as Utah are 18-25 basis points. Idaho would like its program to grow, but feels stuck because the current code restricts the state from hiring a program manager to operate the plan. The changes in **H 177** would give the board of directors the opportunity to bring operations in-house at a reduced cost, thereby increasing their flexibility and ability to fulfill their fiduciary duty to the families they serve.

Representative Luker said that he would like to discuss a proposed amendment to **H 177** which concerns a language correction. The original bill allows the plan manager "to act as a depository", when in fact, the language should read, "to select a depository." **Representative Luker** asked that the committee send **H 177** with its proposed amendment to the 14th Order. **Chairman Goedde** said that the committee could not attach the amendment to the bill, but could have it available. **Senator Durst** noted some opposition in the House of Representatives and asked **Representative Luker** to explain the opposition. **Representative Luker** replied that questions had been raised about procurement authority, because it exempts the board from the procurement process of choosing a financial product, unlike desks or office equipment. Because **Representative Luker** did not have an adequate answer for the question, some House members voted against the bill. **Senator Patrick** reminded Representative Luker that less fees do not necessarily make better management, and hoped that the board would work toward quality, not price. **Representative Luker** replied that the board still had a fiduciary duty to do what was most prudent for investors, such as partnering with another state to share plan managers. **Senator Thayne** clarified that the purpose of **H 177** was so that individual families saving money for college could combine into a larger investment account. **Representative Luker** replied affirmatively, and said

that Vanguard was the provider. **Mr. Perry** added that the language stricken from Section 3 contained restrictions concerning contracts, and that the Attorney General's office had advised against such language.

MOTION: **Senator Durst** made a motion to refer **H 177** to the 14th Order for amendment. **Senator Thayn** seconded the motion. The motion carried by **voice vote**. **Chairman Goedde** will carry **H 177** on the floor.

ADJOURNED: Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 3:55 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #1
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, March 04, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|--------------------------|--|---|
| MINUTES | Approval of Minutes, January 31, 2013 | Senator Nonini |
| MINUTES | Approval of Minutes, February 7, 2013 | Senator Pearce |
| MINUTES | Approval of Minutes, February 11, Listening Session | Senator Buckner-Webb |
| MINUTES | Approval of Minutes, February 12, 2013 | Senator Pearce |
| MINUTES | Approval of Minutes, February 13, 2013 | Senator Durst |
| MINUTES | Approval of Minutes, February 14, 2013 | Senator Patrick |
| PRESENTATION | Education Reform | Andy Smarick |
| PRESENTATION | Idaho Leads Project–Professional Development | Roger Quarles |
| PRINT HEARING RS 22109 | Defines Financial Emergency | Robin Nettinga, Idaho Education Association |
| PRINT HEARING RS 22129C1 | One year / two year contracts | Karen Echeverria, Idaho School Boards Assn. |
| PRINT HEARING RS 22130C1 | Reducing salaries; contract duration | Karen Echeverria |
| PRINT HEARING RS 22131C1 | Majority representation | Karen Echeverria |
| PRINT HEARING RS 22160 | Limits litigation impact; preserves due process rights | Karen Echeverria |
| DISCUSSION | JFAC intent language | Chairman Goedde |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, March 04, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee (Committee) to order at 3:04 p.m., and a silent roll was taken.

DISCUSSION OF INTENT LANGUAGE AT REQUEST OF JFAC: **Chairman Goedde** explained that at Monday's Joint Finance and Appropriations Committee (JFAC) final budget meeting, the Committee was granted the opportunity to review the intent language in two specific sections relating to education funding. **Chairman Goedde** clarified that the budget amounts were set, as was the language, except for sections 25 and 26. JFAC gave the Committee the opportunity to review the intent language in those two sections, and make comments or recommendations at the JFAC meeting scheduled on Friday, March 8, 2013. **Chairman Goedde** recognized Senator Cameron to begin the discussion.

Senator Cameron explained that after the defeat of the Students Come First legislation by the November 2012 propositions. A task force was assembled to make recommendations on education policy. The budget had set aside \$33.9 million to use for the task force recommendations. The task force did not have time to draft recommendations, so JFAC appropriated the \$33.9 million. Sections 25 and 26 deal with the allocation of that \$33.9 million in the FY 2014 budget. The proposed language in Section 25 of the JFAC budget allocates \$21 million to the districts for differential pay. School districts could request grant funds for local Excellence in Achievement Awards according to a formula based upon the number of support units used to calculate salary-based apportionment.

The excellence in achievement plans must meet certain criteria: (1) all plans shall be approved by the local board of trustees; (2) such plans would not be subject to collective bargaining; (3) up to 40 percent of the plan may include professional development and resources necessary to implement the Idaho Common Core State Standards (ICCSS) for math and English language arts; (4) the plan shall delineate how the moneys will be used for Excellence in Achievement awards; (5) awards may be directed at the school-wide level, the individual level, or other grouping criteria; (6) plan and grant fund requests must be submitted to the State Department of Education (SDE) before October 1, 2013; (7) Each school district receiving grant funds must report to the SDE at the end of the fiscal year detailing the plan's student achievement results; (8) each plan shall be posted to the school district and SDE websites; (9) a portion of the moneys received may be used to pay any variable, rate-based employer benefit costs; (10) the school districts have no obligation to maintain or repeat such payments in the future. **Senator Cameron** further stated that the term "school districts" would also include "public charter schools", and "board of trustees" would include "board of directors."

Section 26 allocates \$13 million to technology to include: (1) \$8 million for classroom technology; (2) \$2.25 million for wireless technology infrastructure; (3) \$3 million for technology pilot projects; and (4) \$150,000 for development and maintenance of an internet-based portal for online course. The complete language of Sections 25 and 26 is attached and incorporated by reference.

Senator Cameron explained that Sections 25 and 26 were intended to fund "laboratories of innovation" for rewarding and retaining the best teachers through awards of excellence and sharing those ideas with other districts. Some districts will do better than others, and the reporting system will identify those districts with the best track record. **Senator Thayne** asked if the Idaho Education Association (IEA) had weighed in on the language. **Senator Cameron** said that the bulk of the language had been written by Jason Hancock, (SDE); and Paul Headlee, Legislative Budget and Policy, and had been reviewed by Chairman Goedde and House Chairman DeMordaunt. None of the educational associations were involved. **Chairman Goedde** offered that he would schedule a stakeholder meeting to allow them time for input. **Senator Nonini** asked for clarification of the "rate-based employer benefits" mentioned in section 25(9). **Senator Cameron** described such benefits as costs which are variable in nature and associated with salary, such as Public Employees Retirement System of Idaho (PERSI) and Federal Insurance Contributions Act (FICA), but not health insurance benefits. **Senator Goedde** suggested that this subsection should be clarified.

Senator Patrick asked if the "Use it or Lose It" provisions of SCF were included. **Senator Cameron** replied that in the FY 2013-2014 budget, Use it or Lose It was all allocated to FY 2013, and was already in the base. After defeat by the 2012 propositions, \$33.9 million remained undistributed from SCF. Sections 25 and 26 address the one-time distribution of the \$33.9 million, with \$24 million allocated to differential pay, and \$13 million allocated to technology.

Senator Pearce queried if Section 25 and 26 were a "watered down" version of Proposition 2; he questioned the wisdom of moving forward without reviewing what had been learned from the last experience. **Senator Cameron** disagreed: what the public said with Proposition was that they did not like a top-down management approach; they wanted local districts to have more control; some did not want to pay for performance when teacher salaries were being cut.

In reference to Section 26, technology, **Chairman Goedde** noted that \$10 million had been included in the technology budget for several years. **Senator Cameron** said that JFAC awaited the governor's task force (task force) recommendations. Other options were considered; however JFAC preferred the language in Section 26 because subsection (3) included \$3 million to districts for pilot projects. These projects could include software, laptops, iPads – the language is fairly open – and requires them to predict how their plan would aid in student achievement, and to report to the SDE at the end of the year with their results. **Vice Chairman Mortimer** voiced concern that the language in subsection (1), technology for teachers, was too limiting; he would prefer it to read, "teachers and students." **Senator Durst** asked why not grant the \$33.9 million to all the districts to use as they wished. **Senator Cameron** replied that every school district was struggling to meet financial demands. The purpose was to choose a model which did not include a top-down management approach. **Senator Cameron** described a plan in Utah which allowed pilot projects and results-reporting. Utah ultimately did invest largely on technology. Section 26 mimics Utah's plan by allowing each district to devise their own plan and ask the state for grant assistance. **Senator Nonini** and **Chairman Goedde** asked if the pilot project provision would exclude districts which had already implemented pilot projects. **Senator Cameron** replied "no," that every district can submit their plan. The Superintendent of Public Instruction maintains flexibility; if he wishes to

approve only new projects, he has the authority to do so. **Chairman Goedde** announced that the Committee would resume discussion at the next meeting.

**PRINT
HEARING ON
RS 22109, RS
22129C1, RS
22130C1, RS
22131C1 AND
RS 22160:**

Chairman Goedde advised that he had obtained permission from the President Pro Tempore to send **RS 22109, RS 22129C1, RS 22130C1, RS 22131C1** and **RS 22160** to State Affairs for printing. These RS print hearings will be heard by State Affairs on Wednesday, March 6. Once printed, they will be returned to the Education Committee for presentation and debate.

PRESENTATION: **Chairman Goedde** next introduced Andy Smarick, who is a partner at Bellwether Education Partners, a non-profit organization working to improve educational outcomes for low-income students. He has extensive experience nationwide. His resume is attached and incorporated by reference. **Mr. Smarick** explained that at Bellwether Education Partners, he currently focuses on understanding the five biggest education areas which impact all states. They are: (1) Common Core State Standards (CCSS) implementation and professional development. In 2014, students will begin taking new assessment tests based on CCSS, and teachers will have questions on how to best prepare and teach the new standards. (2) Teacher evaluations have consumed the efforts of most states over the past five years. Research shows wide differences in teacher effectiveness – one teacher displays astonishing student effectiveness, while another struggles with students. Student surveys offer better assessment reports than most other assessment methods, such as supervisor observations. **Mr. Smarick** advised Idaho to consider teacher evaluation as top priority: start now. (3) In Mr. Smarick's opinion, No Child Left Behind (NCLB) should have been reinstated; instead, a waiver has been granted, allowing new accountability, new assessment testing, even new report cards. These changes can impact parents, teachers and students. (4) Technology, and the personalization of education, appears everywhere. **Mr. Smarick** remarked that most people want technology in education, but he advised Idaho to move forward prudently and conservatively. The financial investment can be enormous, especially if technology and its implementation is not thoroughly explored. (5) **Mr. Smarick** described the entrepreneurial explosion in the past few decades. For over 100 years, education looked much the same; now the most exciting advancements lie outside mainstream education, such as charter schools.

Senators Durst and **Patrick** asked about early childhood education and low income parental involvement. **Mr. Smarick** replied that preschool programs are only as good as the quality delivered. In addition, studies show that student gains from successful preschool experience can literally disappear within two years if the child moves to a low quality elementary school. **Mr. Smarick** said that many parents are not engaged in their child's education, which underscores the needs for good teachers. His advice is to educate the parents on how they can aid in their child's education, and then offer parents high quality options.

Chairman Goedde asked about the expectation the SDE could have in providing funds for technology to the districts. **Mr. Smarick** replied that technology required two elements: equipment and bandwidth. In his opinion, a state's only responsibility is to make sure that adequate bandwidth is available. He advised that the SDE might offer a competitive grant process for equipment wherein each district must make a proposal for what equipment they want and how it will be used. The SDE might also provide a list of approved devices, like they do with textbook choices, and solicit bids from competitive vendors. **Mr. Smarick** advised Idaho to take its time in evaluating the bandwidth and equipment required for the new ICCSS online testing that begins in 2014.

Chairman Goedde said that the Committee had recently enjoyed a presentation from the Measures of Effective Teaching (MET) Study and asked Mr. Smarick for his perspective on teacher evaluations. **Mr. Smarick** replied that MET study showed that high, middle and low performance teachers can be identified in the areas of math and English language skills; test scores provide some measure of effectiveness; teacher observations were less valid than previously thought, and that student surveys provided the most reliable information. He encouraged Idaho to use all three evaluation measures. Having no further questions from the Committee, **Chairman Goedde** thanked Mr. Smarick and introduced the next speaker.

PRESENTATION: Roger Quarles, Professor of Education Leadership, Boise State University (BSU), explained that his teaching focus at BSU was to teach K-12 district superintendents and school principals how to become better leaders. He also provides education leadership to Idaho Leads Project (Idaho Leads). BSU created Idaho Leads, a professional development team focused on strengthening leadership capacity in Idaho's K-12 schools. Idaho Leads provides trustees, superintendents, principals, teachers, parents and community members across the state with support to become more effective leaders, and to create high-performing schools where all students succeed. The project was given an 18-month, \$3.85 million grant from the J.A. and Kathryn Albertson Foundation for funding. The goal of Idaho Leads is twofold: first, to support and enhance the advancement of educational improvement and reform in Idaho, and second, to share, in an easily accessible manner, best practices to all interested districts, schools and charters. Every district and charter school was invited to apply to join Idaho Leads. Of the approximately 150 Idaho school districts and charter schools, 49 were accepted. Those participating convened for four regional network meetings over the next 18 months where they defined priorities, identify and celebrate successes, and determine areas where improvements can be made. Idaho Leads team will be available between network meetings for assistance, including on-site support. The Idaho Leads website includes resources for teachers, administrators and students. Each participating district is asked to bring ten team members so network meetings include more than 150 participants. The network meetings include nationally recognized keynote speakers, team-building exercises and job-alike network meetings.

Idaho Leads promotes building relationships between teachers and students, teachers and principals, principals and superintendents, and with the community. In the network meetings, participants share effective practices to encourage continuous improvement and replication. Success of the program is measured by how many participants came to the meetings, what was learned, whether the new information was implemented, and whether or not that information created a difference within individual districts. Mr. Quarles' powerpoint presentation is attached and incorporated by reference.

In answer to questions by **Vice Chairman Mortimer** and **Senators Buckner-Webb**, and **Durst**, **Mr. Quarles** said that his group personally went to every school in every district to identify "bright spots." In Castleford, fifth graders were using Kahn Academy, and all were solving advanced math problems. In Blaine County, the teachers were taking advantage of all available professional development opportunities, and sharing it with others. Community partnerships include Idaho Business for Education who aids in creating highly effective district organizations. Noting that only 49 of approximately 150 school district participate, **Chairman Goedde** asked if Idaho Leads has the capacity to include all districts. **Mr. Quarles** answered affirmatively, stating that all districts had been invited, but some lacked the commitment to create a ten-member, dedicated team.

Chairman Goedde asked how Idaho Leads is working to implement CCSS. **Mr. Quarles** replied that their project was heavily involved in assessing capacity needs of various districts. Boise's district, for example, has more capacity than Castleford. The goal is to provide what they need to implement CCSS, but also to train and support them. Idaho Leads envisions that the current 49 districts will provide regional leadership hubs to assist in implementing CCSS in their districts. He cautioned that Idaho needs to look closely at vendors and the vetting process. **Senator Patrick** asked about the Albertson's funding. **Mr. Quarles** indicated that current funding will end in June 2014, at which time other partnerships will be sought. **Chairman Goedde** thanked Mr. Quarles for his presentation and said, "you have tremendous heart."

- MOTION:** **Senator Nonini** made a motion to approve the minutes of January 31, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.
- MOTION:** **Senator Pearce** made a motion to approve the minutes of February 7, 2013. **Senator Nonini** seconded the motion. The motion carried by **voice vote**.
- MOTION:** **Senator Buckner-Webb** made a motion to approve the minutes of the Joint Education Committee's February 11, 2013 "Listening Session". **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.
- MOTION:** **Senator Pearce** made a motion to approve the minutes of February 12, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by voice vote.
- MOTION:** **Senator Durst** made a motion to approve the minutes of February 13, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.
- MOTION:** **Senator Senator Patrick** made a motion to approve the minutes of February 14, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.
- MOTION:** **Senator Nonini** made a motion to approve the minutes of January 31, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.
- ADJOURNED:** Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:40 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, March 05, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|-----------------------------------|--|
| H 205 | State funding for college credits | Jason Hancock, State Department of Education |
| S 1133 | School Security Plans | Senator Marv Hagedorn |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Tuesday, March 05, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

H 205

Jason Hancock, State Department of Education, explained that **H 205** deals with the freezing of movement on the salary reimbursement grid for education credits earned by certificated administrators and instruction staff in public schools. By way of history, **Mr. Hancock** stated that all movement on the grid, both down for experience and across for education, was frozen by the Idaho 2010 Legislature in fiscal year (FY) 2011 in order to make the budget work for public schools. No additional money flowed through the grid for those who were moving across. This freeze affected those who had earned credits in FY 2010, and normally would have had them credited in FY 2011.

Under S 1184, the third bill in Students Come First, the freeze was repealed for movement on the education credits grid. The November 2012 propositions repealed S 1184, which then re-froze the education credit movement going forward. Technically speaking, **H 205** would re-unfreeze the education credit movement on the grid. Since this bill has already passed the House of Representatives, the Joint Finance and Appropriations Committee (JFAC) had already approved \$4 million of full funding of salary-based apportionment dollars for college credits earned for FY 2014. If **H 205** passes the Senate, that \$4 million will remain in place for FY 2014 and into the future.

Under Senate Rule 33, **Senator Durst** disclosed that his wife is a school teacher which creates a potential conflict of interest, since she had been affected by the freeze and would gain monetarily by passage of the bill. **Chairman Goedde** thanked him for his disclosure.

MOTION: **Senator Thayn** made a motion to send **H 205** to the Senate floor with a **do pass** recommendation. **Senator Durst** seconded the motion. A discussion ensued.

Chairman Goedde asked Mr. Hancock what percentage of educators would benefit from passage of **H 205**. **Mr. Hancock** said that he had not run numbers recently, but suggested it would probably be under 20 percent. **Chairman Goedde** requested those numbers before the bill went to the floor.

Vice Chairman Mortimer asked several probing questions concerning \$4 million's fate if **H 205** were not passed. He expressed concern that already not enough flexibility exists in the JFAC education budget for lights, utilities and insurance. The districts will continue to struggle. **Mr. Hancock** replied that utilities and insurance are paid from the state's discretionary funds. If the grid stays frozen, the \$4 million would go to the Public Education Stabilization Fund (PESF), absent any additional action by JFAC. **Vice Chairman Mortimer** continued that, while he does not wish to deny money to teachers who have worked so hard, he is concerned that small school districts cannot get a levy or bond to raise money for increased insurance, utilities and deferred maintenance – the basics. In the budget just passed by JFAC, the majority of education funds were allocated to salaries and benefits, and only \$300 per support unit was allocated to discretionary funds. In 2009, school districts received \$25,000; now they receive only \$20,000. **Vice Chairman Mortimer** acknowledged that keeping the lights on and paying education professionals created a difficult position for JFAC and the Education Committee. He hoped to find a "comfort spot" so that charter and small schools can have a higher degree of flexibility. He asked, hypothetically, if intent language could be written to put the money in discretionary funds if this step-over were to continue for one more year. **Mr. Hancock** replied that JFAC could rewrite that aspect of the school budget, remove the \$4 million from administration and teachers and shift it to operations; however, he believes another bill would be necessary.

**SUBSTITUTE
MOTION:**

Vice Chairman Mortimer moved to hold **H 205** for one day. **Senator Fulcher** seconded the motion. The substitute motion carried by **voice vote**.

Chairman Goedde asked Mr. Hancock to provide the number of teachers affected, and to provide opportunities for this money to be moved to discretionary funds. **Mr. Hancock** said he would try, but believed the answer would require further action by JFAC.

S 1133

Senator Hagedorn introduced **S 1133** which creates a framework around school security efforts which could be utilized statewide. Some school districts already have developed plans with local law enforcement, but other districts still need assistance. This bill puts school board trustees together with local law enforcement to build a plan for their district. The bill outlines some requirements, such as creating response training for teachers and students, ensuring that threat assessment tools are for office use only, and excluding reports from the Freedom of Information Act, so as not to "do homework for the bad guys." Each plan devised under this framework might be different for every school district due to differing resources and threat environments; it allows flexibility for schools and law enforcement to build a plan which is appropriate in their situation. **Senator Hagedorn** stated that some proposed amendments have already been written, and he requested that the committee send **S 1133** to the 14th Order for amendment.

Senator Durst expressed concern over exclusion from the Freedom of Information Act, and thought that the teachers association would want to have involvement. **Senator Hagedorn** replied that one amendment allows executive sessions to include teachers. **Senator Durst** asked additional questions concerning the right of parents to know which schools are most safe; and questioned how these plans would incorporate transportation contractors who were outside the district realm. For both instances, **Senator Hagedorn** emphasized that he envisions the plan as a living document; the plan encourages flexibility within the districts..

TESTIMONY: **Matt McCarter**, State Department of Education, testified in support of **S 1133**. **Mr. McCarter** said that he had assembled a task force comprised of administrators and trustees to determine the current security state of affairs. Their survey concluded that readiness to respond varies widely throughout the state, and that a "clear and present need" exists. The task force identified a threat assessment tool in used in Texas, based on school climate, best practices, and positive relationship reinforcement. **S 1133** utilizes the Texas model in its plan.

Karen Echeverria, Director, Idaho School Boards Association (ISBA), testified that the ISBA is waiting to state its position because questions remain concerning "executive sessions", as well as definitions of safety and crisis training.

Senator Durst suggested that the Idaho Education Association (IEA) be part of the original team; **Chairman Goedde** suggested their participation be considered in an amendment. **Senator Hagedorn** agreed that teachers should have input, but that the legislation should include fewer early participants – board members and law enforcement. Each district could then decide for itself who else might participate and their level of involvement.

MOTION: **Vice Chairman Mortimer** made a motion to send **S 1133** to the 14th Order for amendment. **Senator Patrick** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:54 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #2
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, March 06, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|---|--|
| MINUTES | Approval of Minutes, February 18, 2013 | Senator Nonini |
| | Approval of Minutes, February 19, 2013 | Senator Patrick |
| | Approval of Minutes, February 20, 2013 | Senator Thayn |
| HCR 16 | Declares support for "Invent Idaho" Day | Rep. Donna Pence |
| PRESENTATION | Idaho Digital Learning Academy (IDLA) | Cheryl Charlton, CEO |
| H 205 | State funding for college credits | Jason Hancock, State Department of Education |
| DISCUSSION | JFAC Discussion, continued | Chairman Goedde |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Wednesday, March 06, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee (Committee) to order at 3:07 p.m., and a silent roll was taken.

HCR 16 **Representative Donna Pence**, introduced **HCR 16**, which would recognize and declare support for the "Invent Idaho" program and to declare an "Invent Idaho Day" to celebrate Idaho's young inventors. After giving a brief history of the program, **Representative Pence** outlined several benefits of the program: It addresses Science, Technology, Engineering and Math (STEM) goals; focuses on communication, critical thinking and creativity; meets state standards; develops real-world problem solving skills; and meets a national demand for innovation, enabling Idaho students to compete in a global economy. Representative Pence's complete remarks are attached and incorporated by reference.

MOTION: **Senator Thayn** made a motion to send **HCR 16** to the Senate floor with a **do pass** recommendation. **Senator Patrick** seconded the motion. The motion carried by **voice vote**. Chairman Goedde will carry the bill on the floor.

H 205 **Chairman Goedde** stated that additional information was needed for discussion of **H 205**, dealing with state funding for college credits.

MOTION: **Vice Chairman Mortimer** made a motion to hold **H 205** until March 11, 2013. **Senator Nonini** seconded the motion. The motion carried by **voice vote**.

PRESENTATION: **Dr. Cheryl Charlton**, CEO, Idaho Digital Learning Academy (IDLA), explained that the IDLA is a state-sponsored, accredited, online school created to provide students with greater access to a wide variety of courses taught by highly qualified faculty. It's goal is to provide choice, accessibility, flexibility, quality, and equity in curricular offerings for students in Idaho. She introduced the IDLA staff, and a student, who would each talk about their involvement in IDLA.

Mike Caldwell, Director of Program Development, IDLA, said that 11 years ago, the IDLA was formed with a goal of providing opportunity, access, choice and equity to high school students in order to better prepare them for college and careers. Since then, the IDLA has enrolled 90,000 students. It is projected to serve over 19,000 enrollments in 2012-2013 for the 228 unique semester-long courses that IDLA offers. Its teachers are highly qualified, Idaho Certified and supervised by Idaho Administrators. Students enroll for a variety of reasons, but the largest two are because courses are not offered locally, or present schedule conflicts. IDLA focuses on college preparation and career readiness. Dual credit courses and Pathways to Success, which both teach study skills, communication skills and

stress management, prepare students to transition to college. **Mr. Caldwell** then introduced one of IDLA's star students to describe his experience at IDLA.

Deban Ramalingam, a Junior at Centennial High School, student of IDLA and Web Applications Programming Intern at IDLA, became involved as a sophomore. He desired to take upper level Advanced Placement (AP) courses, but could not because of scheduling. Then he learned about IDLA, and enrolled in AP courses that were not offered in his school. He found that the teachers were very helpful, and the Blackboard interactive posts allowed him to interact with other students. Overall, he found the system mentally stimulating. Next he was recruited to become a Web Applications Programming Intern, where he developed a web application tool that complements the Blackboard Learning System Software. That tool is currently being tested by other high schools in Idaho. He plans to attend a top engineering university, and believes his experience and internship with IDLA will fortify his college applications. Mr. Ramalingam's notes are attached and incorporated by reference.

Ryan Gravette, Director of Technology, IDLA, explained that IDLA partnerships, both nationally and internationally, are critical in strengthening the education pipeline. By creating partnerships, IDLA creates cost efficiencies and leverages each partner's individual strengths to benefit students and taxpayers across the state. In Georgia, for example, IDLA is sharing its nationally known student systems with the state, and they are sharing the content. This year IDLA will have new science and math courses free of charge through this partnership. IDLA is also recognized internationally. After reviewing online programs across the nation, a seventeen member delegation from Australia chose IDLA as the best model to replicate. IDLA also partners with the National Aeronautics and Space Agency (NASA) through the Idaho Science and Aerospace Scholars program. Students start with an online course where they learn how science and math are tied to aerospace, they learn to program robots, and they get to listen to astronaut guest lectures, all online. Then in the summer they have a chance to go to the Space Center in California get some time for hands-on studies.

IDLA's best partnerships, however, are with Idaho's school districts, postsecondary institutions, and teachers to combine knowledge, to research data analysis, to provide dual credit courses, and to prepare for classroom technology. Innovative projects include work on: EduCloud which allows computers, cell phones, and iPads to connect to IDLA's servers for applications such as Word, Excel and Photoshop; investigation of new models of delivery in partnership with the Idaho Education Network (IEN); iDigLearning, which provides technology and digital content to teachers in a customized professional development program; and IDLA's Cloud Object Repository which provides the starting point for transition to Common Core State Standards (CCSS) and the Smarter Balanced Assessment. Additional IDLA project information can be found in Mr. Gravette's speaker notes, which are attached and incorporated by reference.

**JFAC
DISCUSSION:**

Chairman Goedde next called for continued discussion of the Joint Finance and Appropriations Committee's (JFAC) education budget, specifically the intent language in Sections 25 and 26, on which sections JFAC has requested the Committee's input.

Addressing Section 26, **Vice Chairman Mortimer** expressed concern that subsection (1) allows \$8 million for classroom technology that "assists teachers in...effective...delivery of instruction." He felt that the language should be modified to include "students" as well.

The Committee raised several questions concerning subsection (2) dealing with \$2.25 million for the installation, repair, replacement and support of wireless technology infrastructure and capacity. The major question dealt with how those funds might be distributed, given that some larger school districts already had wireless technology in place, while other smaller districts did not. **Chairman Goedde** noted that in Andy Smarick's recent presentation to the Committee, Mr. Smarick had said that the state's responsibility was to provide wireless capacity and broadband capacity; other equipment is the responsibility of the district. **Chairman Goedde** concluded that subsection (2) was consistent with that recommendation.

Subsection (3) dealing with \$3 million available to school districts for technology pilot projects, brought considerable debate. **Senator Thayne** and **Chairman Goedde** raised concerns that this section is not supported by past or present legislation. **Vice Chairman Mortimer** replied that language existed in a 1995 code that could apply, "if you stretch it." **Senator Durst** preferred that the \$3 million be placed in subsection (1) which allowed for direct distribution of \$8 million to the school districts for classroom technology and allowed the districts flexibility to determine best use. **Chairman Goedde** said he understood how technology pilot projects could be useful in ensuring that projects are viable before investing technology state-wide.

In subsection (4), the Committee raised questions concerning the State Department of Education's (SDE) development of an online portal, versus utilizing IDLA's portal. **Chairman Goedde** stated that the SDE has already spent over \$100,000 in development of a portal, and could not turn back the clock.

TESTIMONY:

Dr. Gloria Totoricagüena, a political scientist, lobbyist, and educator of 25 years, testified that she favors pilot projects because they promote data-driven decision making. Pilot projects can have objectives, controlled variables, quantifiable results, and are relevant to the authorizing district. By allowing a competitive grant process, districts can determine for themselves what they need. Dr. Totoricagüena's complete remarks are attached and incorporated by reference.

Ryan Kerby, Superintendent New Plymouth Schools, said that Section 25 came forth after extensive meetings between superintendents, stakeholder groups, executive directors, the SDE and legislators. Subsection 3, "Leadership" was left out of the sentence, "40% of the fund for professional development, leadership (word inserted), and other resources..." **Vice Chairman Mortimer** asked why subsection 3 was limited to CCSS if a need exists for more than just CCSS, such a technical professional development. **Mr. Kerby** replied that none of the superintendents he had talked to would oppose changing that language. **Mr. Kerby** also stated that since this was one-time money, he believed it should be kept in compensation; a lot of discussion had occurred, but lacked participation from principals and teachers. He would like to see more discussion next year in order to develop a better product and create ownership. **Senator Pearce** expressed concern that "award of excellence" is just another way of saying "pay for performance," yet the Committee has not seen a report on how well pay for performance worked.

Bert Marley, representing the Idaho Education Association (IEA), testified that with minimal language changes, the IEA could support Section 25. The IEA has always favored alternative compensation models. Mr. Marley's complete remarks are attached and incorporated by reference.

Karen Echeverria, Executive Director, Idaho School Boards Association (ISBA), testified that the ISBA was appreciative of the Committee's work, and hoped that in the future, more apportionment would be allocated to the discretionary fund.

Chairman Goedde, noting the late hour, suggested that this discussion be continued to the following day.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 5:15 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, March 07, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-----------------------|--|--|
| MINUTES | Approval of Minutes, February 25, 2013 | Vice Chairman Mortimer |
| | Approval of Minutes, February 26, 2013 | Senator Fulcher |
| | Approval of Minutes, February 27, 2013 | Senator Thayn |
| | Approval of Minutes, February 28, 2013 | Senator Nonini |
| H 206 | Public Charter Schools Funding | Jason Hancock, State Department of Education |
| DISCUSSION | JFAC Discussion Continued | |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Thursday, March 07, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee (Committee) to order at 3:05 p.m., and a silent roll was taken.

JFAC DISCUSSION (CONTINUED): **Chairman Goedde** began the meeting with a continuation of the Committee's discussion regarding the Joint Finance and Appropriations Committee's (JFAC) invitation to comment on Sections 25 and 26 of the education budget. Having discussed Section 26 at length the previous day, **Chairman Goedde** directed the Committee's attention to Section 25.

The Committee discussed Section 25 at length. Several committee members did not support the ten subsections which specified how the section's \$21 million must be used. **Senators Durst, Nonini, Patrick, Pearce** and **Fulcher** all felt that the districts would be better served if the \$21 million were put into discretionary funds to allow the districts flexibility for their needs. **Senator Cameron** reminded the Committee that JFAC had offered the Committee the opportunity to comment on language, but the budget and allocations were set and could not be revised unless two-thirds of JFAC agreed to re-open budget discussions. **Vice Chairman Mortimer**, who also sits on JFAC explained that he had fought hard for more discretionary funds, and that several factors prevented that from occurring. Recognizing the issues the Committee raised, **Vice Chairman Mortimer** reminded the committee that these funds were for one year only. He suggested that the committee offer language and move on.

H 206 **Jason Hancock**, State Department of Education (SDE), explained that the SDE and the stakeholders had been working on **H 206** for over eight months. As is the nature of compromise, everyone got something and also gave up some ground. The first component of **H 206** includes a new requirement that charter schools pay an authorizer fee to the entity who authorized their charter and oversees their performance. The purpose of this fee is to defray costs of providing oversight, and to encourage more school districts to act as authorizers.

The second provision involves the creation of a state facilities fund stream for charter schools. Currently, charter schools have no source of revenue to pay for facilities costs, and must divert state funds in tended for employee salaries and operating costs to pay for facilities.

In answer to questions by the Committee, **Mr. Hancock** continued that charter schools cannot participate in bond levies or property taxes for facilities and must go to "boutique" lenders who charge much higher interest rates because the loan is secured by the building alone, as opposed to the entire school district. If charter schools had an identifiable funding source, other lenders might become involved, creating competition and lower rates. Further, those charter schools with a longer history of success could obtain better rates than newer charter schools who do not have a long-term success history.

TESTIMONY: **Kelly Trudeau**, representing Compass Public Charter School K-12 (Compass) in Meridian, said that Compass had purchased their own facility using a bond. Compass has paid nearly \$1 million in fees, and will have paid \$12 million for a building built in 1970. Currently, they receive state funds based on Average Daily Attendance (ADA) which is dedicated to instruction, but instead 50 percent goes to facilities. **Ms. Trudeau** said that passage of **H 206** would help Compass.

Don Keller, Director of Sage International School of Boise (Sage), said that facilities costs are the number one difficulty Sage faces. Sage is growing rapidly, from an initial 216 students to 700 students. Their admission lottery was just held, and approximately 600 students were not chosen. **Mr. Keller** said that each year, 17 to 20 percent of Sage's per pupil funding is diverted to facilities, which takes away from student education. **Mr. Keller** agreed that **H 206** would greatly increase Sage's ability to educate their students. The bill would also allow Sage a better bond rate which would save the schools millions of dollars. Sage is currently in the process of bonding to secure a 70,000 square foot building.

Tamara Baysinger, Idaho State Board of Education, representing the Idaho Charter School Commission, testified in support of **H 206**. In addition to funding issues, **Ms. Baysinger** spoke about **H 206**'s proposed fees paid to authorizers, which would increase the opportunity for collaboration between local districts and public charter schools. When charter petitions are referred to the Commission – as most are – the most common reason districts cited for referral is that they simply lack the resources to do the job. Removing that disincentive would be an important step toward increasing choice within, and support by local school districts. **Ms. Baysinger** highlighted a provision of **H 206** that would permit 10 percent of the authorizer fee to go to other entities which provide support and assistance to public charter schools. Charter School Associations – typically membership based, formed by and of charter school stakeholders – play an important role in the charter school sector because they can intervene with struggling schools and enhance collaboration among successful schools in a way that an authorizer cannot. Their expertise, which is particular to charter schools, is extremely valuable and historically lacking in Idaho.

Teresa England, Principal at The Village Charter School (Village), testified that Village open in 2011. The timing was unfortunate because federal start up grants had just ended. Now a large proportion of their general fund pays for facilities. The funding stream in **H 206** would make Village look more attractive for lenders in the future.

Robin Nettinga, representing the Idaho Education Association (IEA), testified that the IEA could not support **H 206**. She said that charter school founders know from the outset that trade offs exist in creating charter schools: one of those is the lack of authority to run tax elections. The IEA finds three major concerns with **H 206**. First, should this bill be approved, the IEA fears that a charter school could successfully run a bond levy to the detriment of the public school district, which may not receive subsequent support from the voters. Second, charter school board members are not elected by the public, and therefore, are not accountable to the school district's patrons for use of facilities funds they might receive. Finally, all schools, not just charter schools, must stretch precious and few funds which they would rather spend on instruction. Lack of funding is not unique to charter schools. The IEA does not believe that **H 206** is the answer, and they cannot support it.

Ken Burgess, representing the Idaho Charter School Network, said that, contrary to opinion, charter schools are not trying to build or buy new buildings, and almost 50 percent of charter schools lease their facilities. His organization supports **H 206**.

Due to time constraints, **Chairman Goedde** suspended discussion of **H 206** until March 11, 2013.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 4:35 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, March 11, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-----------------------|--|---|
| MINUTES | Approval of Minutes, February 25, 2013 | Vice Chairman Mortimer |
| | Approval of Minutes, February 26, 2013 | Senator Fulcher |
| | Approval of Minutes, February 27, 2013 | Senator Thayn |
| | Approval of Minutes, February 28, 2013 | Senator Nonini |
| H 206 | Public Charter Schools Funding | Jason Hancock, State Department of Education |
| H 221 | Charter Schools: renewals, contracts, additional authorizers | Karen Echeverria, Idaho School Boards Association |
| H 224 | Employment contracts 2012-13 | Jason Hancock |
| H 205 | State Funding for College Credits | Jason Hancock |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, March 11, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee (Committee) to order at 3:10 p.m., and a silent roll was taken.

MOTION: **Vice Chairman Mortimer** made a motion to approve the Minutes dated February 25, 2013. **Senator Thayn** seconded the motion. The motion carried by **voice vote**.

MOTION: **Senator Fulcher** made a motion to approve the Minutes dated February 26, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.

MOTION: **Senator Thayn** made a motion to approve the Minutes dated February 27, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.

MOTION: **Senator Nonini** made a motion to approve the Minutes dated February 28, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.

H 206 **Chairman Goedde** announced that the Committee would not vote on **H 206** until **H 221**, a companion bill, had been discussed again with stakeholders and then fully debated by the Committee. **Chairman Goedde** turned the Committee's attention to **H 206** for a continued question and answer period.

Vice Chairman Mortimer said that he had been receiving considerable emails indicating public perception that the charter schools are treated differently than public schools. He asked **Jason Hancock**, State Department of Education (SDE) if he had any numbers on a per pupil basis. **Mr. Hancock** replied that the "rainbow report" from Tim Hill (SDE) shows different levels of per pupil funding. Charter schools and public schools are funded under same formula, but that formula can vary from school to school and district to district. The Average Daily Attendance (ADA) in each school's categories – elementary, middle, and secondary schools – combined with each school's teacher compensation grid based on years of service and education credits, created a unique multiplier for each school.

Senator Thayn asked Mr. Hancock to explain the different programs through which facilities are funded. **Mr. Hancock** replied that three programs exist which use state funds to pay for facilities: (1) The largest is the bond levy equalization program from which \$17 million per year go to districts to upgrade or build; every bond that has passed since September 2002 have been eligible for subsidy, unless a district has been so high on the index as to not need subsidy; most districts receive some level of support. Per capita income, property values, etc., create a value index; which, in turn determines a district's amount. (2) A second program exists for districts who have been unable to pass levies due to unsafe facilities. This program has been used once the past; the Salmon school district has recently applied for this program. (3) Finally, the state facilities matching program uses a replacement value formula that calculates by square footage. Under this formula 2% of replacement value is set aside for building maintenance; in an average district, 1.5 percent comes from the school district, and .5 percent from state, but that, too, is variable. Charter schools cannot calculate the same index, so they receive funding as a statewide average; poorer districts might get more than other wealthier districts; some additional general fund matches do not go to charter schools; districts with low value index receive it.

Senator Durst asked how often the bond levy equalization fund been used been used. **Mr. Hancock** replied that the current appropriation of \$17.4 million has grown over time. The program started 10 years ago. Bonds can run for twenty years; the last two to three years have been fairly flat because construction stopped and people stopped moving to Idaho, so there was not much growth. Regarding the maintenance match, **Senator Nonini** asked if the charter schools participate. **Mr. Hancock** replied that yes, charter schools do participate at state wide average; therefore, lottery dollars do fund facilities. S 1143 in 2006 required a maintenance requirement in the match program. Lottery money that districts receive is usually used to buy down the state match requirement; in most districts, money they receive is sufficient for match; but poorer districts do not receive enough lottery money, and so they use the general fund. Charter schools do not participate in the same funding.

TESTIMONY:

Nancy Viano, a citizen of Idaho since 1975, expressed concern about the direction of education in Idaho. She believes that [traditional] public education is the number one priority in the state, and that charter schools need to accept responsibility for the additional cost of facilities. She further stated that she fears that Idaho is "broadening [education's] needs so that we are doing a lot of things poorly instead of focusing our financial resources on doing a few things exceptionally." She feels that Idaho needs to revisit it's "primary responsibility" and evaluate if that obligation has been met. Ms. Viano's complete comments are attached and incorporated by reference.

Steve Berch, a citizen from West Boise, said that in his view, the arguments put forth by proponents of **H 206** are dubious and stand in contradiction with fundamental conservative principles. Since charter schools serve only five percent of the population, and that five percent has voluntarily chosen not to attend traditional public schools, which receive funding for facilities, the remaining 95 percent of traditional schools should not be required to pay for charter school facilities. **Mr. Berch** stressed individual responsibility for choices, and urged that the Committee hold this bill until the state has "adequately taken care of the 95% of Idaho students that attend traditional public schools." Mr. Berch's complete testimony is attached and incorporated by reference. Answering questions from the Committee, **Ken Burgess**, representing Idaho Charter School Network (ICSN) clarified that 19 of 41 charter schools are receiving financing and paying on loans, and that a 2010 study showed that charter schools receive 23 percent less money than public schools.

H 221

Mr. Burgess introduced **H 221**, stating that **H 221** represents a compromise piece of legislation that is the result of much work to update Idaho's public charter school laws. This legislation includes the governance and oversight components of the recommendations made by a group of stakeholders that included: The Idaho School Boards Association, The Idaho Charter School Network, The Public Charter School Commission, The Idaho Association of School Administrators, Coalition of Idaho Charter School Families, and the State Department of Education (SDE). This stakeholder group met to examine Idaho's charter school laws from June 2012 through February 2013. The group examined other state charter school law and the best practices that exist now from across the country. This bill makes great strides in better aligning Idaho's Public Charter School Law with the "National Model Law" as proposed by the National Alliance for Public Charter Schools. These meetings began a much needed dialogue between traditional school districts and public charter schools that we hope to continue. This legislation is considered the companion piece to the charter facilities funding legislation that was presented in **H 206**.

The major recommendations from the stakeholder group contained in this legislation are laid out in the Statement of Purpose as follows: (1) Puts into place periodic renewals of all public charter schools, five year for existing schools and three years for newly opened schools. (2) Creates performance contracts for charter schools that bind both the charter school and its authorizer. (3) Eliminates notices of defect. Reform the qualifications and appointing authorities for members of the Public Charter School Commission, to better align Idaho law with best practices. (4) Reforms the qualifications and appointing authorities for members of the Public Charter School Commission, to better align Idaho law with best practices. (5) Allows for additional authorizers to include colleges and universities and certain approved 501(c)(3) organizations (in addition to school districts and the Public Charter School Commission). (6) Establishes standards and oversight for 501(c)(3) organizations that wish to become charter school authorizers. (7) Allows for direct approval of public charter schools by colleges and universities and approved 501(c)(3) organizations, while maintaining the current school district notification and feedback procedures. (8) Creates a process that allows school-district authorized charter schools to become their own local education agencies. (9) Allows the SDE to reduce the front-loading of charter school funding if notified by the school's authorizer that the school is fiscally unsound. (10) Provides for procedures upon dissolution of a charter school. Mr. Burgess and the Committee then reviewed the 27-page bill line by line to review and clarify language.

TESTIMONEY:

Tamara Baysinger, Director, Public Charter School Commission (PSCS) testified in support of **H 221**, and directed her comments from an authorizer's perspective. She said that the role of authorizer is to (1) maintain high standards, (2) uphold school autonomy, and (3) protect student and taxpayer interests. The provisions included in **HB 221** would have a dramatic and positive influence on the PSCS's ability to fulfill all three elements of its role. Authorizing tools described in the bill will permit a fundamental shift in focus from the means to the ends, replacing a tendency toward micro-management with a genuine evaluation of improved student learning. Passage of this bill would either align, or open the door to aligning, Idaho's charter school authorizers with the 12 Essential Authorizing Practices identified by the National Association of Charter School Authorizers in 2011. **H 221** would also dramatically increase Idaho's ranking in the National Alliance for Public Charter Schools' charter law rankings database, creating a more attractive environment for potential grantors and charter management organizations whose proven educational models could become available to students in our state.

Jessica Harrison, Policy and Governmental Affairs Director, Idaho School Boards Association (ISBA) restated the process by which the stakeholders drafted the ISBA's resolution on charter schools. She said that **H 221** incorporates several components from that resolution including periodic renewals and performance contracts. The ISBA strongly supports **H 221**.

Bert Marley, Director of Public Policy, Idaho Education Association, (IEA) spoke in opposition to H 221. The IEA feels that this legislation would dramatically change the direction of education in Idaho by expanding the number of charter school authorizers in the state to include public colleges, and nonprofit colleges and 501C(3) organization. The IEA believes that the increase in number of schools will negatively impact scarce state funds for those public schools already in the system.

Chairman Goedde postponed further discussion of H 221 until Tuesday, March 12, 2013.

Having no further business before the committee, **Chairman Goedde** adjourned the meeting a 4:54 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #2
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, March 12, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-----------------------|-----------------------------------|------------------|
| H 206 | Moved to Monday, March 18, 2013 | |
| H 221 | Moved to Monday, March 18, 2013 | |
| H 224 | Employment contracts 2012-13 | Jason Hancock |
| H 205 | State Funding for College Credits | Jason Hancock |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Tuesday, March 12, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee (Committee) to order at 3:03 p.m., and a silent roll was taken.

H 224 **Jason Hancock**, State Department of Education (SDE), explained that this legislation clarifies that the employment contracts signed by educators for the 2012-2013 school year will continue to be governed by the laws that existed at the time the contracts were signed. While the state's legal guidance to school districts has supported this interpretation, **H 224** provides greater certainty.

Senator Thayn asked Mr. Hancock to explain the end date in Section 2 of July 1, 2015. **Mr. Hancock** replied that an emergency clause, making this bill "effective immediately," is in place because administrators and superintendents generally sign contracts for more than two or three years. It is common practice, however, that contracts are signed annually, and so most would sign a new contract this spring. In some cases, where a superintendent might retire before their three year contract ends, **H 224** clarifies that the contract in effect at the time it was signed would govern the duration of that contract. All such contracts not renewed in spring 2013, would therefore expire no later than June 30, 2015. **Mr. Hancock** continued that the primary concern comes from school districts needing to clarify which law is in place for performance evaluations and contract renewal decisions under consideration this spring. The districts do not want a lack of clarity on governing law to automatically renew a contract which the district did not intend to renew.

Mr. Stark, representing the Idaho Education Association (IEA) stated opposition to **H 224** on grounds that it "brings back the three Luna Laws" which were defeated in November 2012, and repealed those laws "effective immediately." For contracts, **H 224** now resurrects a body of laws until August 2013. **Chairman Goedde** stated that he had confirmed with the Attorney General's office that contract law superseded statutory law. Contracts signed with individual school districts are sacrosanct even though the statute may change. **Senator Thayn** asked Mr. Stark if any lawsuits had arisen because of these contracts. **Mr. Stark** replied no, that the IEA had not brought, nor contemplates bringing any lawsuits.

In summary, **Mr. Hancock** stated that **H 224** directs its attention to education contracts, and the need for certainty in performance evaluations this spring. Prior to spring 2011, teachers were highly scrutinized for performance in their first three years because a contract renewed for the fourth year constituted automatic renewal (tenure) contract. Students Come First, enacted in spring 2011, stated that contracts would no longer automatically renew. Teachers, supervisors and administrators signed those contracts in spring and summer of 2011 to govern the 2012-2013 school year. With the repeal of Students Come First in November 2012, the some argue that teachers with more than three years' service since their contract was signed should now be given automatic renewable contracts without having gone through a thorough review. **H 224** simply clarifies that the contracts for the 2012 and 2013 school year govern the duration of the contract, and that school districts will be allowed to conduct performance evaluations and make their new contract decisions accordingly.

MOTION: **Senator Thayne** made a motion to send **H 224** to the Senate floor with a **do pass** recommendation. **Senator Pearce** seconded the motion. The motion carried by **voice vote**. **Senator Thayne** will carry the motion to the floor.

H 205 **Vice Chairman Mortimer** requested unanimous consent the **H 205** be held until Monday, March 14, 2013 for the purpose of continued budget review. Seeing no objection, **Chairman Goedde** ordered that **H 205** would be moved to the March 14 agenda.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 3:26 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #2
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, March 13, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-------------------------------|--|---|
| <u>H 225</u> | Clarifies current version of § 33-1003; adds new section pertaining to education support credits | Jason Hancock, State Department of Education |
| <u>S 1147</u> | Allows one year contracts for salaries and benefits; allows two year contracts for non-monetary matters | Karen Echeverria, Idaho School Boards Association |
| <u>S 1148</u> | Allows for application to increase or decrease professional salaries; allows for application to lengthen or shorten contracts. | Karen Echeverria |
| <u>S 1146</u> | Defines "Financial Emergency" | Robin Nettinga, Idaho Education Association |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Wednesday, March 13, 2013
TIME: 3:00 P.M.
PLACE: Room WW55
MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee (Committee) to order at 3:08 p.m., and a silent roll was taken.

Chairman Goedde called for **H 225** pertaining to education support credits, and noted that the presenter, Jason Hancock, State Department of Education, was not present.

Chairman Goedde next welcomed the audience who had come to listen and to testify concerning **S 1147** and **S 1148**, and laid ground rules for courtesy.

Karen Echeverria, Executive Director, Idaho School Boards Association (ISBA) first offered a general statement concerning the bills brought by the ISBA. She stated that the membership had voted three to one in November 2012 to bring these pieces of legislation forward for consideration. Those districts voting in favor included large and small school districts from every region and corner of Idaho. Unintended consequences surfaced when voters repealed the propositions. Those unintended consequences included the loss of over \$30 million that stakeholders hope will be re-appropriated to school districts, as well as other issues such as open negotiations which have already passed the Committee. The ISBA also believes that other unintended consequences involved rejection of provisions that provide basic tools which ISBA members need to better manage their districts and allow for long term prudent fiscal management. Rather than bringing these requests back in one large piece of legislation, the ISBA has introduced them in several pieces so that they can be adequately debated by the House and Senate. **Ms. Echeverria** reviewed the negotiations process which had occurred from December 2012 to present, and pointed out that school board members are elected public officials with statutory responsibility for the management of their districts, including staff, calendar and finances. **Ms. Echeverria** summarized by saying that the legislation brought by the ISBA provides improvements that ISBA members believe are necessary to fulfill their obligations in the most flexible manner possible for both large and small districts throughout the state.

Ms. Echeverria explained that the main point of this legislation is to prevent what was commonly referred to as the "evergreen clause" from being written into Master Agreements. This legislation would limit the length of any negotiated master agreement and would require that salaries and benefits in a master agreement be in effect for one year beginning on July 1 and ending on June 30. All other matters may have a length of two years. **Ms. Echeverria** emphatically stated that this legislation is 'not' talking about teacher's annual contracts. "Teacher contracts and the master agreement are not the same things." Teacher contracts are the individual one page contracts that teachers sign each year that commits the school district and the individual teacher to employment for the next year. The master agreement is the agreement which is negotiated between the local union and the local board and includes all items that were negotiated. In order for school boards to be able to set an annual budget in a timely manner and in order to set a budget based on the dollars that will be available for the upcoming fiscal year, ISBA's members believe strongly that master agreements cannot be open ended and must have a term length. In addition, the members of ISBA do not believe that today's boards should be bound by terms that were negotiated years, sometimes even decades, ago.

Ms. Echeverria reviewed subsection 33-1275(1) which states that the agreements are effective for one year from July 1 to June 30. Subsection (2) establishes the parameters for those items that can be negotiated for a two-year term and require that at the end of that two-year term, those items must be renegotiated rather than just added back into the agreement. Due to late printing, **Ms. Echeverria** informed Chairman Goedde that in its present iteration, the bill still contains one sentence which requires modification, and offered copies of a proposed amendment which defines compensation as "salaries and benefits." **Ms. Echeverria** pointed out some of the the provisions which had been negotiated with the Idaho Education Association (IEA), including a two-year term for all issues not related to salaries and benefits and a one-year sunset clause. The ISBA hopes that sound data can be collected over the next year to see what impact, if any, one year agreements have on collective bargaining. Finally, the ISBA has made this bill retroactive to November 21, 2012 to ensure that any master agreement that was reached during the last year remains in effect until a new agreement is reached between the parties. This bill is being presented in conjunction with the Idaho Association of School Administrators.

Senator Durst raised questions concerning the three to one vote in favor of introducing this legislation, and the use of "shall" instead of "may" in setting the term of one year contracts. **Ms. Echeverria** affirmed the process by which ISBA members voted with equal representation between small and large districts. **Ms. Echeverria** confirmed the intent of "shall," and also confirmed that the two-year term for non-financial provisions came at the request of the IEA.

TESTIMONY:

Pete Peterson, a citizen, expressed disapproval in that **S 1147** appeared to reintroduce provisions of Students Come First that was rejected in Proposition 1 in November 2012. He also objected to the addition of a sunset clause.

Luke Frenklin, President of the Meridian Education Association, testified in opposition to **S 1147**. His primary concern centered on the requirement that master agreements be renegotiated every two years. He stated that many items in the master agreement have been followed and are working well, and he sees no need that they be renegotiated every two years. He is concerned about "getting bogged down and that something more important would be missed." **Senator Thayne** and **Chairman Goedde** clarified with Mr. Franklin that either party could request negotiation on a contract's provision, and if a provision were not questioned, then it remained in place. Currently, if two parties could not agree to change a provision, then the existing provision would remain in effect.

Rob Winslow, Executive Director, Idaho Association of School Administrators (IASA), thanked the Committee for involving the IASA in the process. The IASA supports of **S 1147**.

Jamie Hoelsing, a teacher in Nampa, testified in opposition to **S 1147**. The Nampa teachers are concerned that, whereas contract negotiations customarily begin in January, those negotiations still have not begun. Nampa Education Association represents the teachers, and has requested that non-financial issues be negotiated while awaiting results of the bond levy (just passed). If **S 1147** passes, **Ms. Hoelsing** believes it will put an undue burden on the negotiating committee to renegotiate every aspect of the master agreement at a time when teachers are extremely busy administering ISATs and final exams, and preparing for both graduation and summer school. Ms. Hoelsing's written remarks are attached and incorporated by reference. **Senator Durst** asked Ms. Hoelsing about the current level of morale. **Ms. Hoelsing** replied that she had never seen morale so low; and fears that the children will sense that teachers do not feel safe, supported and secure because of uncertainty with their contracts.

Travis Manning, an Idaho teacher, raised concern about transparency of a survey cited by Governor Otter in December 2012, which allegedly affirmed support of new legislation such as **S 1147**. His complete statement is attached and incorporated by reference.

Paul Stark, General Counsel, IEA, cited substantive and procedural objections to **S 1147**. Since nothing in the currently law requires any school board to make on-going agreements, and nothing in the current law forbids a school district, if they choose, to negotiate every item, every year; then the local boards ought to have the choice at their discretion, to make agreements and negotiate contracts. There is nothing in **S 1147** that could not be implemented on the local level. Procedurally, allowing contracts under **S 1147** to be retroactive to November 21, 2012, would negate lawful contracts negotiated after November 21 if not in accordance with **S 1147**. **Mr. Stark** cited the contract clause of the Idaho Constitution, Article I, Section 16 which provides that "no...law impairing the obligation of contracts shall ever be passed." **Chairman Goedde** asked if a board voted to allow ongoing agreements, and ten years later a board did not want them, how could they be removed. **Mr. Stark** replied that prior to negotiations, the parties have a preliminary meeting to discuss what to negotiate. The point is to allow local districts to have control. When asked by **Senator Nonini** if other areas of the master agreement could be put in policy instead of the master contract, **Mr. Stark** said that policy is not a collaborative process.

Brian Duncan, a trustee from the Minidoka County Joint School District, testified in support of **S 1147**, noting that school boards set budgets one year at a time; **S 1147** sets contracts one year at a time. This bill allows flexibility to set a budget that would coincide with the fiscal year and allow local districts the flexibility they need. **Senator Durst** asked about the morale of teachers in his district. **Mr. Duncan** replied that morale is low, but it cannot be attributable to **S 1147**. **Senator Nonini** said that with Students Come First, districts had a "reset button," and asked Mr. Duncan if the Minidoka Joint School District had "reset." **Mr. Duncan** replied affirmatively, and said that the district had set up open negotiations and listening lessons.

Connie Buckley, a teacher of 20 years, testified in opposition to **S 1147**, stating that the message of this bill does not value the teaching profession. "Students Come First" implied that teachers come last. **Ms. Buckley** said there is no first or last, just the hope to finish with respect.

MOTION:

In light of seeking additional information from the districts, **Senator Nonini** made a motion to hold **S 1147** in committee. **Senator Pearce** seconded the motion. In discussion, **Senator Durst** noted that the ISBA had suggested sending **S 1147** to the 14th Order, and asked why that would not be the preferred outcome. **Senator Nonini** replied that the amendments are just technical; he wanted a better understanding of what the districts want and have done. **Senator Durst** stated that he wished to go on record that "it is disingenuous to say" that ISBA members voted three to one to return these proposals to legislation; that figure did not represent 75 percent of the population. The motion carried by **voice vote**.

S 1148

Karen Echeverria, ISBA, explained that the main point of this legislation provides locally elected school board members the ability to increase or decrease salaries or to shorten or lengthen the term of teacher's contracts. Additionally, if a reduction in salary is applied or contracts are shortened, it must be uniformly applied to all employees. As publicly elected officials of school districts that operate under the statutes of the state of Idaho, school board members are required, by law, to set the budget and manage the finances of their local school districts. When salaries and benefits make up 80-90 percent of those budgets, the inability to reduce those salaries simply makes no sense. The law, in its current form, requires that school board members manage the finances; however, another law restricts them from managing 80-90 percent of the budget. These laws are in direct conflict with one another. Other amendments in this legislation allow school districts to issue letters of intent for employment to renewable-contract teachers and clarifies that all contracts must be issued by July 1 of each year. In addition, should the board make a determination that salaries need to be reduced or contracts shortened, they must allow for a single, informal review for all affected employees.

Ms. Echeverria reviewed **S 1148** in detail. She explained that the first amendments change the contract date from May 25 to July 1 to align with the beginning of the fiscal year and to coincide with the end of negotiations. The second amendments clarify language related to teachers in their third year of employment. The primary amendment to this legislation removes language which restricted local school board members by stating that any contract must be for the same length and at a salary no lower than the previous year including movement on the salary grid. Instead, that language has been replaced to state that the board may make contracts shorter or longer and may reduce or increase salaries but must do so in a uniform manner. Subsection (a) clarifies that contracts must be issued by July 1. Subsection (b) indicates that school districts can issue letters of intent for the ensuing school year if they so wish, but those letters of intent cannot state a duration, salary or benefits. Further amendments remove language concerning the renewal of a contract or reducing salaries in relationship to due process hearings. The final amendment of the bill defines parameters for a single informal review for those affected employees. The remaining sections of this bill contain language added by the Legislative Services Office: During negotiations, the IEA requested that the language clarified that any reduction in salary could not be applied to individual teachers. In addition, the ISBA agreed to add a one-year sunset clause to this legislation in order allow time to collect sound data over the next year to determine the impact, if any, these provisions have on the school district and their financial stability. This bill is being presented in conjunction with the Idaho Association of School Administrators (IASA).

Senator Thayne asked Ms. Echeverria if she was aware of any districts which are contemplating reduction in salaries. **Ms. Echeverria** deferred to Karen Pyron.

TESTIMONY:

Karen Pyron, Superintendent, Mackay Joint School District #182 (Mackay) stated that passage of **S 1148** was "absolutely critical" to the district's ability to survive. "Mackay schools have two years." The district was able to pass a \$150,000 supplemental levy but only with the promise to cut expenses by \$150,000. Passage of **S 1148** is critical to that obligation. Teachers, who are also IEA members, have volunteered at 5 percent salary reduction to keep their schools and community alive. **S 1148** would give authority to accept their offer. Ms. Pyron's complete remarks are attached and incorporated by reference.

Senator Durst asked if Mackay had considered consolidation with another district. **Ms. Pyron** replied that consolidation was not geographically practical: the closest district is approximately 75 miles away.

Molly O'Shea, an educator for 35 years, now in the Boise school district testified against **S 1148** and emphasized the socioeconomic makeup of Idaho's children. She said a 2009 report stated that 20 percent of Boise children live below the poverty level; 19.9 percent for Idaho overall. What this means is that these children come to school with "their basket half empty." She wanted the committee to know that today's Idaho teachers are teaching children in poverty, and asked that teacher salaries not be used as a bargaining tool, so that all children have equal access to curriculum.

Laurie Keister, a citizen, stated that education is not adequately funded, and that society values sports more than education. She believes that the problem is not contracts, but trust, collaboration and communication. She favors education reform.

Julia Whithers, a teacher at Vallivue Middle School, expressed similar views, stating that the climate of contract uncertainty would hinder trust, collaboration and communication, and instead, create a climate of competition among teachers.

Andrew Rath, whose statement was read by Christine Simon, testified in opposition to **S 1148**, stating that highly qualified teachers were most important in the classroom. He believes the **S 1148** gives permission for districts to balance their budgets by cutting teacher salaries. Lack of financial security may cause teachers to leave the state.

Jason Vleck, a 2nd grade teacher in Payette, agreed, and stated that he has considered leaving the state.

Luke Frenklin, President of the Meridian Education Association, testified against **S 1148**, and stated that bill "takes the control aspect too far and undermines the negotiation process." He feels it will divide school boards across the state.

John Sharkey, a Parma school teacher, and 2006 Teacher of the Year, expressed similar views, and said that giving the school boards the power to increase days or reduce salaries without talking to teachers, "puts us backwards." Mr. Sharkey's written testimony is attached and incorporated by reference.

Pat St. Tourangean, representing the Boise Education Association, agreed that negotiated contracts are necessary.

Lisa Doerig, expressed fear that, as a 20-year teacher, her job might be "on the chopping block."

Rob Winslow, Executive Director, IASA, testified in favor of **S 1148**. **Senators Pearce, Thayn and Durst** questioned the July 1 date and whether it could be changed to be more "teacher friendly." **Mr. Winslow** deferred to **Ms. Echeverria**, who stated that the letter of intent is a binding legal document to hire, and states that once negotiations are complete, contracts will be issued no later than July 1. The former contract date of May 25 did not allow adequate time to complete negotiations. Teachers have the option to not sign the contract, and are free to apply for other positions while awaiting the contract details.

Penny Cyr, President of the IEA, testified that the IEA appreciated that a sunset clause had been added, but that due to the magnitude and implications of **S 1148**, the IEA opposes the bill.

Paul Stark, General Counsel, IEA testified in opposition to **S 1148**, stating that the bill grants unlimited power and eliminates negotiations. It requires no "triggers" such as a financial emergency. He believes an alternate bill, S 1146 offers a better solution. His comments are attached and incorporated by reference. Chairman Goedde asked if **S 1148** and S 1146 were options that could accomplish a similar goal. **Mr. Stark** replied affirmatively.

Brian Duncan, Minidoka County Joint School District, empathized with Mr. Sharkey, and stated that **S 1148** allows negotiations. He also stated that his district might not meet the definition of "financial emergency" outlined in S 1146 , and needs the ability to manage the district based on the funding at hand. The school board is statutorily elected to manage the affairs of the district.

MOTION: Expressing the need for more clarity concerning **S 1148** and S 1146, **Senator Fulcher** made a motion that **S 1148** be held in committee at the discretion of the chair. **Senator Pearce** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 5:46 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #4
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, March 14, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|--|--|
| PRESENTATION | Katie Pemberton, Teacher of the Year | Chairman Goedde |
| H 218 | Updates and modernizes Idaho Code governing issuance of school bonds | Rep. Wendy Horman |
| H 225 | Clarifies current version of § 33-1003; adds new section pertaining to education support credits | Jason Hancock, State Department of Education |
| S 1146 | Defines "Financial Emergency" | Robin Nettinga, Idaho Education Association |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Thursday, March 14, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
- ABSENT/ EXCUSED:**
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** Chairman Goedde called the Education Committee to order at 3:03 p.m., and a silent roll was taken.
- AWARD RECOGNITION:** **Katie Pemberton**, Idaho Teacher of the Year, reviewed education in Idaho and the nation over the past several and the exciting changes that technology have made since she began teaching math eight years ago. Technology has leveled the playing field around the world, however she was pleased to learn through one of her colleagues that the United States' educational system is still envied by countries such as China. "Our students are excellent test takers; however, they lack the creativity, problem solving skills and confidence that American students possess." **Ms. Pemberton** envisions all Idaho schools equipped with necessary infrastructure to support technology. She also favors weekly teacher collaboration to create the best possible and engaging lessons aligned with Common Core State Standards, together with a quality evaluation systems that holds all teachers accountable which acknowledging them as professionals. Ms. Pemberton's complete remarks are attached and incorporated by reference.
- H 225** **Jason Hancock**, State Department of Education, explained that **H 225** clarifies which version of section 33-1003, Idaho Code is currently in force. Confusion was created by the repeal of S 1108 through Proposition 1. According to the Attorney General's Office, since a trailer bill in 2011 already repealed the provisions of 33-1003 that were found in S 1108, and the legislature made further changes to 33-1003 in 2012, independent of SB 1108, the effect of these changes meant that the version established by H 603 in 2012 is currently in force. According to the people who publish Idaho's code books, however, the old 2010, pre-S 1108 version is now in force. **H 225** simply clarifies that the Attorney General's interpretation of current law cements in place the provisions of H 603. H 603 provided 97 percent ADA funding protection for school districts, regardless whether their student count had declined, year over year. The cost for this protection was self-funded, so that all districts would have their state formula funds reduced by a like percentage in an amount necessary to cover this cost, which is about 0.2 percent a year. In this sense, **H 225** functions much like insurance does, but with the premium calculated after the fact. It allows school districts some budgeting certainty from year to year. Charter schools do not receive ADA funding protection in 33-1003, nor do they pay the 0.2 percent premium. If **H 225** does not pass, the fiscal impact would be \$5 million to fund the 99 percent ADA protection feature that was in place in 2010, since that law required all the cost to be borne by the state.

MOTION: **Vice Chairman Mortimer** made a motion to send **H 225** to the Senate floor with a **do pass** recommendation. **Senator Thayn** seconded the motion. The motion carried by **voice vote**.

H 218 **Representative Wendy Horman** introduced **H 218**. A number of provisions in the Idaho Code governing issuance of school bonds need to be updated, modernized and made consistent with other provisions of Idaho Code. **H 218** eliminates obsolete provisions which have not been updated since 1963. It also replaces vague language with objective measures of when a school district's bond amortization plan requires the approval of the State Superintendent of Public Instruction, and specifically limits bond amortization to no more than 30 years. The legislation eliminates conflicting provisions relating to refunding (refinancing) bonds, and makes a technical correction for refunding bonds relating to compliance with the state's school bond guaranty program under title 33, chapter 53, Idaho Code. **Representative Horman** introduced Nick Miller, attorney at Hawley Troxell, Eric Heringer of the Seattle North-West Securities corporation, and Rich Bauscher, Superintendent of Middleton School District.

TESTIMONY: Due to the very technical and legal nature of their testimony, Mr. Miller and Mr. Heringer's written presentation is attached and incorporated by reference.

Superintendent Bauscher said that he had worked with other superintendents around the state and participated in approximately 75 bond issues. Middleton has passed three bonds of 20 years each, and would like the flexibility to lock in constant rates by increasing the maximum term to 30 years. **Superintendent Bauscher** gave several examples, and assured the Committee that many superintendents across the state support **H 218**.

Senator Patrick questioned whether the interest cost of ten additional term years was of sufficient benefit to taxpayers to justify the added cost. **Mr. Harringer** replied that lower payments could be attractive to taxpayers; raising the term length was an option, not a mandate; and interests costs are fully disclosed.

Representative Horman concluded by stating that while increasing the term option to thirty years may increase the total interest cost, it softens the burden for those who pay. Rather than entrusting local trustees with the ability to raise rates, **H 218** will allow voters to decide if a longer term is appropriate for their community.

MOTION: **Senator Durst** made a motion to send **H 218** to the Senate floor with a **do pass** recommendation. **Vice Chairman Mortimer** seconded the motion. **Senator Patrick** stated that he could not support **H 218** due to the added cost. The motion carried by **voice vote**. **Senator Patrick** voted **nay**. Chairman Goedde will carry the bill to the floor.

S 1146 **Robin Nettinga**, Executive Director, Idaho Education Association (IEA), explained the historical background of **S 1146**, which involved proposed legislation H 117 in 2009, and the subsequent Idaho Code § 33-522 Financial Emergency statute. In the four years since implementation, the law has been used effectively at the state level. It has provided school districts with a tool to deal with funding shortfalls while assuring that all parties—school board, administrators, and teachers—are provided an abbreviated period of time to renegotiate portions of their contract, should the district find itself in a difficult financial situation. However, school boards and administrators have expressed concern, that the percentages in the original legislation are too high to ever allow a local district to declare a financial emergency. The IEA has introduced **S 1146** as an alternative to S 1148, to remedy that concern.

S 1146 makes several modifications to the current financial emergency plan. The first change would reduce the bar a district would be required to meet from 5 percent to 1.5 percent. The second change would reduce the trigger from 3 percent to 1.5 percent. With the changes outlined in **S 1146**, a local school district could declare a financial emergency if it determines that either: (1) the amount of property tax revenue collected by the school district is reduced from the prior year and represents more than 1.5 percent of the district's general fund budget, or (2) if the school district's general fund has decreased by at least 1.5 percent from the previous year's level due to a decrease in funding or national disaster, but not a result of the number of support units or index multiplier. Unlike SB 1148 or other proposals before it, **S 1146** makes it less restrictive for local school districts to declare a financial emergency while still preserving teachers' rights to negotiate changes to their master agreement, even in a financial emergency.

Chairman Goedde clarified that, while these changes might not be a solution for the Mackay Joint School District (Mackay), they would provide an alternative solution to S 1148. **Ms. Nettinga** agreed. **Ms. Nettinga** also stated that if the number of support units decreased sufficiently in the Mackay district so that state support would decrease by more than 1.5 percent, then Mackay would qualify for financial emergency relief.

MOTION: **Vice Chairman Mortimer** made a motion to send **S 1146** to the Senate floor with a **do pass** recommendation. **Senator Durst** seconded the motion. The motion carried by **voice vote**. Vice Chairman Mortimer will carry the bill on the floor.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 4:19 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, March 18, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-------------------------------|---|---|
| MINUTES | Approval of Minutes, March 4, 2013 | Vice Chairman Mortimer |
| | Approval of Minutes, March 5, 2013 | Senator Pearce |
| | Approval of Minutes, March 6, 2013 | Senator Fulcher |
| | Approval of Minutes, March 7, 2013 | Senator Nonini |
| <u>S 1147</u> | One year / two year agreements | Karen Echeverria, Idaho School Boards Association |
| <u>S 1148</u> | Increase/decrease salaries; lengthen/shorten contracts | Karen Echeverria |
| <u>H 206</u> | Charter School Funding | Jason Hancock, State Department of Education |
| <u>H 221</u> | Charter School Authorizers | Ken Burgess, Idaho Charter School Network |
| <u>H 205</u> | Funding for college credits | Jason Hancock |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, March 18, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: Chairman Goedde called the Education Committee (Committee) to order at 3:04 p.m., and a silent roll was taken.

MOTION: **Vice Chairman Mortimer** made a motion to approve the Minutes dated March 4, 2013. **Senator Fulcher** seconded the motion. The motion carried by **voice vote**.

MOTION: **Senator Pearce** made a motion to approve the Minutes dated March 5, 2013. **Senator Fulcher** seconded the motion. The motion carried by **voice vote**.

MOTION: **Senator Fulcher** made a motion to approve the Minutes dated March 6, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.

MOTION: **Senator Nonini** made a motion to approve the Minutes dated March 7, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.

S 1147 **Chairman Goedde** reminded the Committee that the debate on **S 1147** had been completed. During the debate on March 13, 2013, Karen Echeverria, Idaho School Boards Association (ISBA), had requested that **S 1147** be sent to the 14th Order for amendment.

MOTION: **Vice Chairman Mortimer** made a motion to refer **S 1147** to the 14th Order for amendment. **Senator Thayn** seconded the motion. The motion carried by **voice vote**. Chairman Goedde will carry the bill on the floor.

S 1148 **Karen Echeverria** reminded the Committee that **S 1148** allows districts to manage salaries and negotiate contracts. She addressed some concerns that had been raised during initial debate on March 13, 2013, including financial emergencies. She also reminded the Committee that the state was not required to declare a financial emergency when they had to reduce salaries and impose furlough days over the last few years when dealing with budget cuts; county commissioners do not have to do so, city councilpersons don't have to, and neither do highway commissioners. Currently, the only elected body that is required to declare a financial emergency are school board members. The ISBA disagrees with this concept.

At the request of Senator Thayn, **Ms. Echeverria** outlined amendments to **S 1148** which refer to the standard teacher contract and indicates that it shall be uniformly applied to all employees based on the district's adopted salary schedule. Additionally, **S 1148** carries a sunset clause for one years. **Ms. Echeverria** also noted some concerns from the Idaho Education Association (IEA) that reduction in force would not be applied uniformly. She explained that in a reduction in force, a program could be cut, resulting in less time for a teacher, or elimination of that teacher due to program dissolution. Therefore, the reduction in force might not be applied uniformly.

- MOTION:** **Senator Thayn** made a motion to refer **S 1148** to the 14th Order for amendment. **Vice Chairman Mortimer** seconded the motion. In discussion, **Senator Thayn** restated his concern for clarity in language to ensure that reduction of salaries only occur during contraction negotiations and not during the school year.
- SUBSTITUTE MOTION:** **Senator Durst** made a substitute motion that **S 1148** be held in committee. **Senator Buckner-Webb** seconded the substitute motion. In discussion, **Senator Durst** stated his belief that **S 1148** should not go forward this session because it binds districts to a process that they might not support. He wanted to make sure that the process was as open as possible. **Senator Patrick** argued against the substitute motion, stating that schools would be given a choice to close or to negotiate during tough times. **S 1148** provides an option. Seeing no further discussion, **Chairman Goedde** called for a vote on the substitution motion. The substitute motion failed.
- VOTE ON ORIGINAL MOTION:** **Chairman Goedde** then called for a vote on the original motion to refer **S 1148** to the 14th Order for amendment. The motion carried by **voice vote**. Senator Patrick will carry the bill on the floor.
- H 206** **Chairman Goedde** opened discussion of **H 206** concerning public charter school funding.
- MOTION:** **Vice Chairman Mortimer** made a motion to refer **H 206** to the 14th Order for amendment. **Senator Fulcher** seconded the motion. In discussion, **Vice Chairman Mortimer** said that he had been working diligently to find a nexus between charter schools and public schools, particularly as it relates to the general fund. He has been working with the sponsors of **H 206** to draft an amendment which would tie charter schools to the bond levy equalization fund, and cap charter schools to an equal proportion of that fund. **Chairman Goedde** stated that he also had concerns with authorizer fees, and the proposed amendments would provide a formula to set those fees on viable expenses of the authorizers. The motion to refer **H 206** to the 14th Order for amendment carried by **voice vote**. Vice Chairman Mortimer will carry the bill on the floor.
- H 221** **Chairman Goedde** explained that Vice Chairman Mortimer had been working diligently on amendments with the stakeholders, the Attorney General's office and the State Department of Education. He acknowledged and thanked Vice Chairman Mortimer for his work.

MOTION: **Vice Chairman Mortimer** made a motion to refer **H 221** to the 14th Order for Amendment. **Senator Fulcher** seconded the motion. **Vice Chairman Mortimer** said that one of his objectives was to ensure that charter school hearings took place in the district in which the charter school would reside. **Chairman Goedde** said that concern had been raised over contract law versus statutory law; Jason Hancock, State Department of Education (SDE) is working with the attorney general on appropriate language. **Senator Nonini** hoped that restrictions on 501(c)3 authorizers do not prohibit foundations such as the J.A. and Kathryn Albertson Foundation or Micron. He suggested that non-profit authorizers should be in-state corporations. **Senator Durst** voiced concern that allowing non-profit charter school authorizers could, in practice, circumvent the school district's and charter school commission's control over authorizers. **Chairman Goedde** assured the Committee that several amendments options were being drafted. The motion carried by **voice vote**. **Senator Durst** voted **nay**. Chairman Goedde will carry the bill on the floor.

H 205 **Jason Hancock**, SDE, said that **H 205** would remedy "unimplementable" language which exists concerning the freeze of college credits for educators. **Mr. Hancock** reminded the Committee at the 2010 legislature froze college credits for teachers for the fiscal year (FY) 2011. In the 2011 legislative session, Students Come First legislation repealed that freeze so that FY 2012 teachers became current. The repeal of Students Come First in 2012 then "refroze" the FY 2010 credits. **H 205** would "re-unfreeze" those credits. **Mr. Hancock** stated that new language is need to accomplish the reinstatement of the 2010 college credits. **Chairman Goedde** stated many sunset clauses have been inserted into legislation this session, and that the governor's task force has formed an interim committee to determine if sunset clauses are appropriate. **H 205** would unfreeze college credits now, and the Committee could address it again next year.

MOTION: **Senator Thayn** made a motion to send **H 205** to the Senate floor with a **do pass** recommendation. **Senator Fulcher** seconded the motion.

SUBSTITUTE MOTION: **Vice Chairman Mortimer** made a substitute motion to refer **H 205** to the 14th Order for amendment. **Senator Patrick** seconded the motion. **Senator Thayn** said that since the current code is unenforceable, the original motion would accomplish the goal of unfreezing the 2010 college credits. **Senator Patrick** countered that the only compromise is a one year sunset clause and that he could not support the original motion without a sunset clause and task force recommendations. **Vice Chairman Mortimer** confirmed that a sunset clause would be in the amendment.

ROLL CALL VOTE: **Senator Durst** called for a **roll call vote** on the substitute motion to refer **H 205** to the 14th Order for amendment. **Senators Patrick, Pearce, and Nonini, Vice Chairman Mortimer** and **Chairman Goedde** voted **aye**. **Senators Fulcher, Thayn, Durst** and **Buckner-Webb** voted **nay**. The substitute motion carried. Chairman Goedde will carry the bill on the floor.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 3:35 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, March 19, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|--|---|
| HEARING | Committee consideration of the Gubernatorial Appointment of Kenneth Edmunds to State Board of Education, to serve March 1, 2013 to March 1, 2018 | |
| S 1149 | Negotiations with majority representation | Karen Echeverria, State Department of Education |
| S 1150 | Regarding employees' appeal to district court | Karen Echeverria |
| H 261 | Reduction in professional personnel | Karen Echeverria |
| H 226 | Support units for Idaho Youth Challenge Program | Jason Hancock, State Department of Education |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Tuesday, March 19, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee (Committee) to order at 3:06 p.m., and a silent roll was taken.

GUBERNATORIAL APPOINTMENT HEARING: **Ken Edmunds**, candidate for Gubernatorial Appointment to the State Board of Education (SBE), stated that he had served on the SBE for the past five years. The SBE has instituted the goal that 60 percent of all persons between the ages of 24 and 35 will have an educational certificate or degree by the year 2020. In addition, a task force for educational improvement (task force) has been put in place. **Mr. Edmunds** believes it is a "perfect time for change," and looks forward to the opportunity to serve in the new focused direction.

Senator Durst asked about the use of the word "flagship" in the University of Idaho (UI) mission statement. **Mr. Edmunds** replied that he felt Idaho's institutions of higher learning should not create a competitive environment, but rather a unified system based on collaboration. **Senator Durst** asked Mr. Edmunds his views on the requirements for online learning which had been repealed with the defeat of Students Come First. **Mr. Edmunds** replied that he is a believer in local control and that districts should have the latitude to include online learning requirements as appropriate for their districts. The task force is reviewing this issue, and he will reserve opinion until that process has been completed.

Senator Patrick stated that people have been unhappy that one school is getting all the attention because of the focus on football, that he has been asked to vote no on the appointment, and asked why this has not been addressed. **Mr. Edmunds** replied that the SBE understands the issue and realizes that one institution is more politically focused than others. He would prefer to see a more system-based approach.

Senator Pearce asked about the qualifications and changes needed from a new president at UI. **Senator Pearce** voiced concerns that a university president determines the climate of their institution, which in turn can influence the state and its policies. **Mr. Edmunds** replied that the universities are now at a tipping point. One president is leaving and two more are nearing retirement. He believes it is time to consider a chancellor system in Idaho which could solve several problems. **Mr. Edmunds** further responded that the UI land grant status is very important so that UI can reach into every country and have influence. A future leader needs to know the value of that status and ensure that it continues.

Vice Chairman Mortimer voiced his belief in the chancellor system. He then directed Mr. Edmund's attention to K-12, for which the SBE is also responsible, and asked about the direction for K-12 education. **Mr. Edmunds** acknowledged that in the past, higher education had been a large focus of the SBE; however, he believes that any separation between higher education and K-12 is counterproductive. The task force has been meeting with all stakeholders as well as business representatives to discuss a model for future K-12 education that aligns with the 60 percent goal of higher education. Through the process of stakeholder meetings and community feedback, he is hopeful that necessary changes can be made.

Senator Patrick asked about the resignation of both the president at UI and the Dean of Agriculture, and wanted to know whether or not an interim president would be able to appoint a new dean. **Mr. Edmunds** answered affirmatively, stating that no restrictions would be placed on the interim president.

Senator Buckner-Webb asked **Mr. Edmunds** to discuss his vision for an education system with diverse needs, levels of ability, language and competing priorities. **Mr. Edmunds** replied that the best way to deal with the big picture is to work at the local level. They have the ability; let them do their job.

Chairman Goedde thanked Mr. Edmunds for his testimony and advised that the Committee would vote on his appointment on March 21, 2013.

S 1149

Karen Echeverria, Idaho School Boards Administration (ISBA), explained that **S 1149** contains two elements dealing with collective bargaining. Subsection (3) sets out the first major element of the bill which states that the local education organization must prove that they represent "50 percent plus one" of professional employees in order to negotiate. Subsection (5) states the second major requirement of the bill, stating that both the local education organization and the board of trustees must provide written evidence that their respective parties have ratified the agreement. Negotiations are conducted every year, therefore, the ISBA believes that proof should be provided every year. Additionally, requiring proof every year allows for other qualified teacher organizations to enter the school district. Those organizations can then work with the teachers in that school district to garner their membership.

Ms. Echeverria continued that, through negotiations with the Idaho Education Association (IEA), the amendment to **S 1149** changed the requirement to prove 50 percent plus one representation only if the local school board requested it. In addition, if requested by the local school board, this proof must be provided annually. The definition of professional personnel was clarified to exclude superintendents, supervisors, or principals in the 50 percent plus one representation clause. The amendment also defines good faith bargaining and clarifies who may negotiate.

Senator Nonini said he had been told by other groups that when they have gone to meetings, they are asked to leave. **Ms. Echeverria** explained that one reason they were asked to leave is because the IEA has been representing those at the meeting. The requirement to prove 50 percent would allow other organizations to come in to determine if teachers may want to join a different organization. In answer to a question from Chairman Goedde, **Ms. Echeverria** stated that the amendment language for the definition of "good faith" had been provided by the IEA.

TESTIMONY:

Bert Marley, Director of Public Policy, IEA, testified in opposition to **S 1149**. He stated that the IEA believes that asking for proof of representation is more appropriately an issue for the professional employees rather than the school board. Requiring proof every year is unduly cumbersome and unnecessary for an organization which has twice confirmed representation of 97 to 99 percent in the past. Further, requiring joint notification of contract ratification before contract signatures was based on one incident involving a new local leader. **Mr. Marley** stated that had this bill contained a sunset clause, the IEA would be supporting it; but that without the sunset clause, the IEA stood in opposition. When asked by Chairman Goedde if one year sunsets would be supported by the IEA on provisions of the education budget, **Mr. Marley** responded in the negative.

Senator Patrick asked why the IEA felt a sunset clause was necessary when the proposals have been operative for two years. **Mr. Marley** replied that it provided consistency with other legislation which contain sunset clauses.

MOTION:

Senator Patrick made a motion that **S 1149** be sent to the Senate floor with a **do pass** recommendation. **Vice Chairman Mortimer** seconded the motion. The motion passed by **voice vote**. **Senator Buckner-Webb** voted **nay**. Senator Patrick will carry the bill on the floor.

S 1150

Karen Echeverria, ISBA, explained that **S 1150** outlines which decisions a district court can make should a teacher termination be appealed. Currently, when an action is appealed to the district court, the district court has the ability to consider new information in making its decision. Under the current law, the board of trustees will conduct a hearing on a teacher termination and make a decision based on the information that has been presented. Once that decision is made, an employee has the option to appeal the board's decision to the district court. Again, under the current law, a whole new trial begins at that level. The certificated employee's attorney now has all the information that was presented to the school district. No record is forwarded, and the judge is free to take new evidence that was not presented to the school district. In the end, the judge can make a decision that is completely separate from the one made by the local board of trustees.

Ms. Echeverria stated that to the ISBA's knowledge, this option is not available with either city or county employees nor is this option available for non-certificated employees in a school district. In those cases, the judge's decision is limited to the criteria outlined in this legislation. The judge can determine that (1) the findings of fact are not based on the evidence, (2) that the board acted without jurisdiction or authority, or (3) that the findings of law do not support the decision made by the board of trustees. In other words, the judge cannot simply rule on his or her own accord, but must remand it back to the local trustees. During negotiations with the IEA, the ISBA delineated the criteria found in section 67-5279, Idaho Code.

TESTIMONY:

Paul Stark, General Counsel, IEA, testified in opposition to **S 1150**. **Mr. Stark** stated that **S 1150** impairs a person's right to a fair hearing under the constitution, and would restrict a judge's ability to ensure justice. **Mr. Stark** delineated several due process issues and asked that **S 1150** be held in committee. He requested that the statute governing school board hearings first be reviewed and revised to ensure that hearings at the school board are fair.

Vice Chairman Mortimer suggested that since **S 1150** addresses a hearing procedure, a terminated employee could still bring a civil suit. **Mr. Stark** agreed, but countered that **S 1150** limits the action the court can take.

In answer to questions by **Senator Thayne, Mr. Stark** agreed that administrators had the right to terminate employee's contract midterm for just and reasonable causes, such as a felony conviction, but he challenged the fairness of the process. **Chairman Goedde** pointed out that **S 1150** is consistent with other state agencies, the city council, and at the county level.

MOTION:

Senator Patrick made a motion to send **S 1150** to the Senate floor with a **do pass** recommendation. **Senator Fulcher** seconded the motion. In discussion, **Senator Durst** argued that school boards and teachers are not experts in education policy and law, and feared that termination hearings could be tainted by politics. **Vice Chairman Mortimer** countered, saying that the trustees are elected to do a job and they do the very best they can. They consider all information fully and make a decision. The employee has the right to have that decision reviewed. **Senator Patrick** agreed, adding that the school boards ask legal and policy experts. The motion carried by **voice vote**. Senators **Durst** and **Buckner-Webb** voted **nay**.

H 261

Karen Echeverria, ISBA, said that **H 261** addresses the use of seniority when a school district reduces its workforce. The language in this bill consists of a new section of code found in section 33-522A. Subsection (1)(a) sets out the conditions under which a reduction in force may be imposed and clarifies that seniority cannot be the only factor. Subsection (2)(b) indicates that a school district 'may' adopt a policy establishing an equitable recall of those employees who were subject to any reduction. After meeting with the IEA, the ISBA rewrote the legislation and used language proposed by the IEA. Further negotiations then took place. The language of **H 261** represents a compilation of those discussions and compromises. In addition, the ISBA added a one year sunset clause to this legislation. **Senator Durst** said that decisions by the board of trustees would supersede the master contract agreement. **Ms. Echeverria** replied that the ability to reduce employees has always been at the discretion of the board.

TESTIMONY:

Robin Nettinga, IEA, testified in support of **H 261** for two reasons. First, the bill is comprised of language developed by IEA to counter the language outlined in HB 165. This language is much less prescriptive and allows more latitude for local school districts to make decisions about how they address this issue. Second, this legislation imposes a sunset date, which would ensure that the governor's task force has time to complete their work.

MOTION:

Vice Chairman Mortimer made a motion to send **H 261** to the Senate floor with a **do pass** recommendation. **Senator Thayne** seconded the motion. The motion carried by **voice vote**. Vice Chairman Mortimer will carry the bill on the floor.

H 226

Jason Hancock, State Department of Education,, said that **H 226** addresses the Idaho Youth Challenge (IYC) program and the method of counting Average Daily Attendance (ADA) which forms the basis of state funds distribution. **Mr. Hancock** posited that the current method of calculating ADA based on actual attendance on November 1 of the school year, does not "fit" with this organization. The IYC hosts 100 students at a residential facility, and provides a full year of instruction (990 hours) during the fall semester. The IYC can provide those instructional hours because they are not limited to a traditional school day. The IYC then hosts another group of 100, again providing a full year of instruction, in the spring semester. The November 1 date only accounts for 100 students, when in fact, the IYC is providing a full year of instruction to 200 students.

Vice Chairman Mortimer and **Senator Nonini** asked several clarifying questions concerning the fiscal impact. For example, if 100 students came from one school district, and the loss of those students triggered the 97 percent student funds guarantee program, then all school districts would be required to pay for the guarantee funds. **Vice Chairman Mortimer** suggested that taxpayers would, in effect, be "paying twice" due to the increased ADA and support of the 97 percent guarantee program. **Mr. Hancock** cited a case some years ago in the Meridian Joint School District wherein the schools were forced to hold "A and B days" because the schools were too small to manage rapid student growth in the district. In that case, the ADA was adjusted to account for all days, not just for one-half of students who would attend on November 1.

MOTION: **Vice Chairman Mortimer** requested that **H 226** be held in committee for one day to allow time for reflection. **Senator Patrick** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 3:32 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #2
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, March 20, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------------|---|---|
| <u>H 226</u> | Support units for Idaho Youth Challenge, continued... | Jason Hanocck, State Department of Education |
| <u>H 259</u> | Voluntary and involuntary leaves of absence | Karen Echeverria, Idaho School Boards Association |
| <u>H 260</u> | Deadline for negotiations and mediation | Karen Echeverria |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Wednesday, March 20, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb
- ABSENT/ EXCUSED:**
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** called the Education Committee (Committee) to order at 3:05 p.m., and a silent roll was taken.
- H 226** **Chairman Goedde** announced that **H 226** had been debated the previous day, and called for questions from the committee. There were none.
- MOTION:** **Senator Durst** made a motion to send **H 226** to the Senate floor with a **do pass** recommendation. **Senator Thayn** seconded the motion. The motion carried by **voice vote**. **Senator Patrick** voted **nay**.
- H 260** **Karen Echeverria**, Executive Director, Idaho School Board Association (ISBA) explained that **H 260** contains two main elements. The first element clarifies that mediation can still be used if both parties reach an impasse in negotiations. However, mediation would still need to be concluded by June 10, as outlined in the next section. The second element is a new section which sets out the deadlines for agreement on negotiations and the time lines that need to be met in the event that no agreement is reached. Negotiations under these time lines and requirements have been in place for two years. A survey conducted by the ISBA showed that negotiations under these conditions went very well. After meeting with the IEA, the ISBA made one change to this legislation which was to change the term "good faith offer" to "last best offer." In addition, the ISBA added a one year sunset clause to this legislation in order to collect sound data over the next year to see what impact, if any, completing negotiations by June 10 had on negotiations. Because of the sunset clause, the Legislative Services Office added language that repeals and reinstates sections of this bill. These changes will occur when the sunset expires on June 30, 2014. This bill is being presented in conjunction with the Idaho Association of School Administrators (IASA).
- Senator Durst** asked about the "typical time period" from offer made and counter offer received, and whether or not the ISBA counseled District boards regarding time frames. **Ms. Echeverria** replied that the each district is different, and the ISBA does not counsel on any level.
- Rob Winslow**, Executive Director, IASA, stated that his organization supports **H 260**.

TESTIMONY: **Dr. Linda Clark**, Superintendent of Joint School District #2 (Meridian), spoke in support of **H 260** because it provides the tools to manage the largest, and most important, part of a school district's budget – the salaries and benefits it pays to its professional teaching staff. **Dr. Clark** stated that the time line set forth in **H 260** needs to be met in order that school districts can make summer time expenditures necessary to open school doors in the fall. She believes that a date certain for end of negotiations is integral to a school district's ability to manage its budget. **Senator Durst** reported that teachers feel that **H 260** puts them in a difficult position and asked how to reconcile those sentiments. **Dr. Clark** replied that the process has built in "give and take." She is willing to front load the time line of negotiations, but feels strongly that an end date is necessary.

Bert Marley, Policy Director, IEA, said that **H 260** creates an unlevel playing field by restricting collective bargaining to a "last best offer" imposed by the school board on June 10. He further objected to provisions which allow "representatives" to negotiate for the school board. **Mr. Marley** said that mediation is unlikely to be a solution due to the time frames involved and the lack of available federal mediators. He asked that **H 260** be held in committee and that the process of collective bargaining now in place be allowed to continue.

Senator Patrick reminded **Mr. Marley** of the budget planning issues facing the districts. **Mr. Marley** replied that the districts have an opportunity to amend the budget while still in negotiations; he suggested they might negotiate through July, and finish in August. At that time, the districts have a good idea of what funds are available. **Senator Durst** asked about the current practice, or the practice prior to Students Come First. **Mr. Marley** replied that from his experience, mediation occurred only twice in 20 years; and the issues were other than salaries. Further he does not feel that an arbitrary date to mediation is useful because arbitration is not date-driven, it is issue-driven.

Ms. Echieverra stated that the IEA and ISBA have a difference of opinion and that a sunset clause is appropriate on this legislation. She also said that while budget amendments do occur part way through the year, the adjustments are usually for small-ticket items, not for 65 percent of the budget.

MOTION: **Senator Patrick** made a motion to send **H 260** to the Senate floor with a **do pass** recommendation. **Vice Chairman Mortimer** seconded the motion. **Senator Patrick** felt negotiations other than salaries could be started earlier in the year, and budget figures would be known in enough time for a June 10 deadline.

SUBSTITUTE MOTION: **Senator Durst** made a substitute motion to hold **H 260** in committee. **Senator Buckner-Webb** seconded the motion. **Senator Durst** stated his opinion that imposing a deadline inhibits negotiation because "the game is rigged." **Senator Thayn** agreed with Mr. Marley that the bill was premature.

ROLL CALL VOTE: **Senator Durst** requested a **roll call vote**. **Senators Thayn, Durst** and **Buckner-Webb** voted **aye**. **Senators Patrick, Nonini, Fulcher, Pearce, Vice Chairman Mortimer** and **Chairman Goedde** voted **nay**. The motion failed.

VOTE ON ORIGINAL MOTION: **Chairman Goedde** then called for a vote on the original motion to send **H 260** to the Senate floor with a **do pass** recommendation. The motion carried by **voice vote**. **Senators Durst, Buckner-Webb** and **Thayn** voted **nay**. **Senator Winder** will carry the bill on the floor.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 3:45 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, March 21, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-----------------------|--|--|
| MINUTES | Approval of Minutes, March 11, 2013 | Senator Thayn |
| | Approval of Minutes, March 12, 2013 | Senator Patrick |
| | Approval of Minutes, March 13, 2013 | Senator Buckner-Webb |
| | Approval of Minutes, March 14, 2013 | Senator Durst |
| DISCUSSION/ VOTE | Confirmation discussion of Kenneth Edmunds to the State Board of Education to serve a term commencing March 1, 2013 and expiring March 1, 2018 | |
| H 259 | Voluntary and involuntary leaves of absence | Karen Echeverria, State Department of Education |
| H 275 | Use It or Lose It | Rob Winslow, Idaho Assn of School Administrators; Karen Echeverria, SDE |
| H 65 | Public School Funds FY13 | Chairman Goedde |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Pearce
Sen Fulcher
Sen Nonini

Sen Thayn
Sen Patrick
Sen Durst
Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Thursday, March 21, 2013

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee (Committee) to order at 3:33 p.m., and a silent roll was taken.

GUBERNATORIAL APPOINTMENT: **Senator Patrick** made a motion to send the gubernatorial appointment of Kenneth Edmunds to the State Board of Education to the floor with a recommendation that he be confirmed by the Senate. **Senator Durst** seconded the motion. The motion carried by **voice vote**. **Senator Patrick** will sponsor Mr. Edmunds on the floor.

H 259 **Karen Echeverria**, Executive Director, Idaho School Boards Association, stated that **H 259** sets out criteria for paid and unpaid leave. Currently, there is no provision in law which allows a school district to place an employee on leave without pay. Subsection 33-513(7)(a) would allow the school board to place an employee on unpaid leave if employee has a criminal court order that prevents him/her (him) from complying with their contract. Subsection 33-513(7)(b) further addresses the issue of two employees who have competing court orders that would prevent them from being in the same building. It clarifies that both employees would be placed on unpaid administrative leave. Subsection 33-513(7)(c) clarifies that if there is an internal investigation of an employee, and not one wherein a court has issued an order, then that leave will be paid. In addition, the school district has 60 working days to complete their investigation and make a decision about whether to allow the employee to begin work again or to begin termination proceedings.

Ms. Echeverria advised the Committee that the House had voiced concern about lost pay when an employee was found innocent of the charges against him. She said that the ISBA would work over the next year to set aside funds for that situation.

TESTIMONY:

Paul Stark, General Counsel, Idaho Education Association, IEA, testified in opposition to **H 259** for two reasons: First, **H 259** creates a situation where the employee is presumed guilty – he is unpaid, he cannot work, he cannot pay his bills – which is devastating in a small community where the school system is often the largest employer. While **Mr. Stark** empathized with the plight of the school board under the current law, wherein the school board must continue to pay a teacher during a criminal proceeding, he also felt that the school board was in a better position to handle the financial hardship than an individual with a mortgage. He suggested that an account be established where an innocent teacher could recoup lost pay. Second, **Mr. Stark** objected to **H 259** because it did not contain a sunset clause.

Vice Chairman Mortimer clarified that Mr. Stark's concern was only with section 33-513(7)(a) relating to unpaid leave when a court order prevented the employee fulfilling the terms of his contract. **Mr. Stark** enumerated situations when this might occur, such as an ex parte restraining order, or a preliminary injunction in a divorce context.

Senator Nonini questioned the suggestion of an escrow account. **Mr. Stark** replied that he envisioned that individual wages being held in an account which provides that should the employee be found innocent, the funds would be returned to him. **Senator Nonini** asked if he would support the bill if an escrow account were inserted. **Mr. Stark** replied that he would prefer a sunset clause.

Senator Durst commented on section 33-513(7)(b), concerning dual court orders which prevents two employees from concurrently being in the same building. He hoped that the school could find solutions other than unpaid leave, such as transferring one to another building, or performing work after school. **Senator Durst** thought that such provisions could improve the bill. **Senator Buckner-Webb** stated that, as a social worker, she had seen situations in which a restraining order denied someone access to their children for several months. Not only did the family suffer financially, but the family system suffered too. **Chairman Goedde** and **Mr. Stark** discussed the availability of language to create an escrow account. **Ms. Echeverria** stated that she would not oppose language to set aside income.

Senator Pearce asked Ms. Echeverria to describe what happens under the current law. **Ms. Echeverria** replied that employees are being paid while going through the court system. In one instance, a teacher was physically caught with a student. The taxpayers were "furious" to learn that the teacher was on paid leave. **Ms. Echeverria** added that while the situation does not happen often, three or four cases were active in Idaho. The school boards have called to ask if they can put the teacher on unpaid leave, but under the current law, they cannot.

MOTION:

Senator Nonini made a motion to refer **H259** to the 14th Order for amendment. **Vice Chairman Mortimer** seconded the motion. **Senator Durst** stated that he could appreciate the position of the school boards and would support the motion. **Chairman Goedde** asked Senator Nonini to work with Ms. Echeverria and Mr. Stark to work on appropriate language. The motion carried by **voice vote**.

H 275

Rob Winslow, Idaho Association of School Administrators, (IASA) stated that this legislation renews public schools' "use it or lose it" flexibility in staffing certificated positions. It allows districts to employ 9.5 percent fewer positions without a consequent reduction in the number of funded positions being imposed.

Senators Thayne, Patrick and **Nonini** asked clarifying questions. **Chairman Goedde** remarked that **H 275** allows the same flexibility at the same percentage as the previous year.

Senator Durst asked Mr. Hancock to discuss the number of districts, and whether or not a demographic pattern emerges. **Mr. Hancock** yielded to Mr. Wilsow for the answers. **Mr. Winslow** stated that about 80 districts were using the program, including small districts and large ones. For example, the Boise School District does not use it, but the Meridian Joint School District does. The numbers do not suggest a pattern.

MOTION: **Senator Thayn** made a motion to send **H 275** to the Senate floor with a **do pass** recommendation. **Vice Chairman Mortimer** seconded the motion. In discussion, **Senator Durst** stated that he would vote no, stating that while schools need more flexibility, he fears that this legislation would lead to larger classroom sizes. The motion carried by **voice vote**. **Senator Durst** voted nay. **Senator Thayn** will carry the bill on the floor.

PASSED THE GAVEL: **Chairman Goedde** passed the gavel to Vice Chairman Mortimer in order to present the next bill.

H 65 **Chairman Goedde** explained that **H 65** would return the school districts to the position they had when they formed their budgets for fiscal year 2013 (FY13). This legislation addresses problems created in the FY13 budget by the November 2012 repeal of S 1108, 1110, and 1184. Based on the repeal, public schools would receive over \$30 million less in FY13 than they had budgeted for, and would create hardship in meeting their contractual obligations. The legislation does not require that the FY13 budget be re-opened. The public schools would receive all expected funds, based on the FY13 original appropriation for FY13 only. Some monies would be shifted.

PASSED THE GAVEL: Seeing no questions from the Committee, **Vice Chairman Mortimer** declared Chairman Goedde "done!" and passed the gavel back to the Chairman.

MOTION: **Vice Chairman Mortimer** made a motion to hold **H 65** at the call of the chair. **Senator Nonini** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 4:25 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
2:00 P.M.
Room WW55
Monday, March 25, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-----------------------|---|--|
| MINUTES | Approval of Minutes, March 13, 2013 | Senator Buckner-Webb |
| H 295 | Calculations of education support units | Jason Hancock, State Department of Education |
| H 318 | Corrects a cross-reference in code | Jason Hancock |
| H 319 | Provides 2/3 relief in FY 14 from required maintenance fund budget usage | Jason Hancock |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

| | |
|------------------------|------------------|
| Chairman Goedde | Sen Thayn |
| Vice Chairman Mortimer | Sen Patrick |
| Sen Pearce | Sen Durst |
| Sen Fulcher | Sen Buckner-Webb |
| Sen Nonini | |

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, March 25, 2013

TIME: 2:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee (Committee) to order at 2:06 p.m., and a silent roll was taken.

MOTION: **Senator Buckner-Webb** made a motion to approve the minutes of March 13, 2013. **Senator Nonini** seconded the motion. The motion carried by **voice vote**.

H 295 **Jason Hancock**, State Department of Education (SDE) explained that **H 295** changes the calculation of support units from the nearest 10th to the nearest 100th. Previously, the nearest 100th had been used. Changing to the nearest 10th was one of the "casualties" of the repeal of Students Come First. The nearest 100th calculation ensures that funding follows the student.

MOTION: **Senator Patrick** made a motion to send **H 295** to the Senate floor with a **do pass** recommendation. **Senator Nonini** seconded the motion. The motion carried by **voice vote**. Senator Patrick will carry the bill on the floor.

H 318 **Jason Hancock**, SDE, explained that **H 318** is a "housekeeping" bill to correct a cross-reference in the code. It allows the State Board of Education to promulgate a fee rule, which would allow the State Department of Education to collect a fee to defray the cost of reviewing the content alignment of certain online courses. The incorrect cross-reference resulted from repeal of Students Come First. **H 318** is a trailer bill to S 1091 concerning online learning which previously passed by the Senate.

MOTION: **Senator Thayn** made a motion to send **H 318** to the Senate floor with a **do pass** recommendation. **Senator Patrick** seconded the motion. The motion carried by **voice vote**. **Senator Thayn** will carry the bill on the floor.

H 319

Jason Hancock, SDE, explained that **H 319** deals with the state's requirement that local school districts put a certain amount of money towards maintaining school buildings each year. Similar legislation has been passed every year since fiscal year 2010 (FY10). In that year, as the state's revenue declined precipitously due to the Great Recession, we absolved ourselves of the requirement that the state provide a certain percentage (0.5% of replacement value, on average) of the replacement value of school buildings, through intent language in the appropriation bill. Because the local school district matching percentage (1.5% of replacement value, on average) was not germane to the state appropriation, it was left for the Education Committees to develop policy dealing with the local match. This legislation, first brought for FY10, absolved local districts of their match requirement if they had no plant facility levy that acted as a source of matching funds, and if they had no school safety issues based on their most recent annual building inspection. If these two standards were met, districts could shift these funds to other one-time, non-personnel costs.

Mr. Hancock continued, stating **H 319** is identical to the legislation of the last four years, except that the flexibility is only provided on two-thirds of the local match requirement. The reason for this is that the state, through the appropriation, is phasing back into funding the state side of building maintenance funding, such that one-third of the required state funds will flow to districts for building maintenance this year. Therefore, this legislation backs off of local flexibility on one-third of the local match, in step with the state funding, but still provides it for the two-thirds in which the matching funds from the state are not yet being provided.

MOTION:

Vice Chairman Mortimer made a motion to send **H 319** to the Senate floor with a **do pass** recommendation. **Senator Thayn** seconded the motion. **Chairman Goedde** indicated that he would try to have the bill follow the budget. The motion carried by **voice vote**. Vice Chairman Mortimer will carry the bill on the floor.

ADJOURNED:

Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 3:17 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #1
SENATE EDUCATION COMMITTEE
2:00 P.M.
Room WW55
Tuesday, March 26, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-------------------------------|--|---|
| <u>S 1040</u> | Allowing for reduction of salary or professional personnel | Karen Echeverria, Idaho School Boards Administration |
| <u>H 314</u> | Provides equal status to the four state institutions of higher learning; codifies independent legal status | Bruce Newcomb, Boise State University; Marilyn Whitney, State Board of Education |
| <u>H 325</u> | Directs that the additional 1.67% in salary-based apportionment be utilized in FY 14 to undo cuts that districts made since FY 11 in the number of positions, or the number of contract days | Chairman Goedde |
| <u>H 65</u> | Public School Funds FY 13 | Chairman Goedde |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Tuesday, March 26, 2013

TIME: 2:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** convened the Education Committee (Committee) at 3:08 p.m., and a silent roll was taken.

MOTION: **Senator Thayn** made a motion to approve the minutes of March 21, 2013. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.

MOTION: **Senator Pearce** made a motion to approve the minutes of March 19, 2013. **Senator Fulcher** seconded the motion. The motion carried by **voice vote**.

S 1040 **Karen Echeverria**, Executive Director, Idaho School Boards Association (ISBA) explained that the changes to **S 1040** reflect removal of language from the initial version which has been addressed by the legislature in other bills during this session. For example, administrative leave was discussed through H 259 and was no longer a necessary component of **S 1040**. **S 1040** now has subsections under section 33-515, Idaho Code.

Ms. Echeverria detailed the three subsections of **S 1040**: Subsection (a) addresses a July 1st contract issuance date for renewable contract teachers. This date is consistent with all other contractual issuance dates and would be the last date to issue a contract. If a school is able, the vast majority will be issued on an earlier date once they have the contract sums and contract length finalized. Subsection (b) allows a district to issue a letter of intent to a renewable contract teacher for the following school year. Some school districts have used this practice for years. These letters can be issued during May of each school year and provide a level of security to the school's employees, even if contract sum or length is not yet finalized. The letters themselves will not state the specific duration of the contract or the salary and benefits, but it will let the renewable contract teacher know they have a position. At their discretion, the district may issue a similar letter to teachers who are on annual contract.

Subsection (c) is an entirely new subsection. This language contains a "trigger" regarding the reduction of the contract length for renewable contract teachers. The contracts could be reduced for the 2013-2014 school year if the parties negotiate and ratify a reduction. This language would particularly assist the Mackay school district who previously had testified that current law prohibited the district from accepting an offer from its teachers to reduce a contract length for 2013-2014. A second portion of this subsection also contains a "trigger" component. Before a school district can reduce the length of the renewable teacher's contract, they must account for and apply the funds associated with the 1.67 percent, fifth factor. The 1.67 percent, fifth factor, is a proposal in H 325 and would be added to section 33-1004E, Idaho Code. This requires a school district to apply these funds to attempt to save the length of the school year, prior to reduction of the year. It provides a safety net, assuring that the monies associated with H 325 are used for its intended purpose. Finally, this bill adds a sunset clause.

Ms. Echeverria summarized that districts still need these types of tools to manage and control budgets and personnel costs. Some school districts have used reserve funds to retain the proportional number of teachers in their district or have survived the recession with "frozen" salary grids as opposed to reductions. Those reserve funds are now depleted. Even with possible increases in salary apportionment reimbursement, some districts will need to consider reductions in the length of the school year, reductions in salaries and/or staffing reductions. **S 1040** represents a very important tool for those districts.

TESTIMONY: **Paul Stark**, General Counsel, Idaho Education Association (IEA), testified in opposition to **S 1040** stating that it resembled previous legislation from past and current Committee sessions. In answer to questions from the Committee, **Mr. Stark** stated that under the law, a person or group could waive provisions of a contract "by mutual agreement," and felt that these decisions should be made on a local level.

MOTION: **Vice Chairman Mortimer** made a motion to send **S 1040** to the 14th Order for amendment. **Senator Patrick** seconded the motion. In discussion, **Senator Durst** expressed concern at creating a separate mechanism in legislation when a local solution could be found. **Senator Patrick** said that with the failure of S 1148, the only option for schools in financial crisis was to close or eliminate teachers; this bill provides an option. **Vice Chairman Mortimer** said that if choosing between the elected school board or teachers to make a decision, he would stand with the elected officials. The motion carried by **voice vote**. **Senator Durst** voted **nay**.

H 314 **Bruce Newcomb**, Boise State University, presented the "demise of 314." He stated that **H 314** had come through the House with no adverse debate, and all the colleges and universities were on board. Then through some misinformation in the press, and an attorney general's opinion letter, the agreement collapsed. After a lengthy debate, the parties agreed to work together to create a new bill for next year which would be built on collaboration and consensus. **Mr. Newcomb** requested that **H 314** be held in committee.

UNANIMOUS CONSENT: Seeing no objection, **Chairman Goedde** stated that **H314** would be held in committee.

PASSED THE GAVEL: **Chairman Goedde** passed the gavel to **Vice Chairman Mortimer**, who called on the Chairman to present the next bill.

H 325

Chairman Goedde presented **H 325** which addresses the school districts' reduction in certificated instructional positions and/or the number of contract days during the fiscal years 2010-2012. These reductions were caused by cuts in state funding for salary-based apportionment. **H 325** directs that the additional 1.67 percent in salary-based apportionment funds being restored to school districts shall be used in fiscal year 2014 to undo those positions and contract day reductions first, prior to using these funds for any other purpose.

Members of the Committee asked several clarifying questions. **Chairman Goedde** explained that the purpose of this legislation was to ensure that the 1.67 percent in salary-based apportionment going to the districts would be used to restore 2011 level class sizes, number of school days and contracts. The decision of some districts to impose a four-day week rather than a five-day week would not be impacted, since the school year is based on hours of instruction, not days. However, if the decision to move to a four-day week had cut contract hours or teacher salaries, then those cuts would need to be restored before the 1.67 percent could be used for anything else. In instances wherein a district is paying teachers above the salary grid, then the 1.67 percent could theoretically be used in another way. However, if **H 325** does not pass, then the 1.67 percent going to the districts could be "up for grabs."

Jason Hancock, State Department of Education (SDE), further explained that by requiring the use of funds in a precise manner, the 1.67 percent would allow a reduction in staff only in the case of a reduction in number of students. He further advised the Committee that at the end of each legislative session, the SDE travels throughout the state and meets with school boards, educators and citizens to explain why and how several funding elements work.

TESTIMONY:

Robin Nettinga, IEA, testified in opposition to **H 325**, stating that the decision for use of funds should be made at the local level, not by the legislature. She also stated that since the 1.67 percent was taken from salary-based apportionment, that is where it should be returned.

Rob Winslow, Idaho Association of School Administrators (IASA), stated that his association's response to **H 325** was mixed. Some felt it was easy to comply with options of adding days or increasing staff, while others were looking at other shortfalls in their budgets.

Chairman Goedde reminded the Committee that **H 325** only applies to FY 2014. He asked that they consider the children who would have smaller class sizes and longer days so they can get a better education. **Senator Durst** felt that **H 325** was not the proper remedy.

MOTION:

Senator Durst made a motion to hold **H 325** in committee. **Senator Nonini** seconded the motion. The motion carried by **voice vote**.

H 65

Vice Chairman Mortimer stated that it was the decision of the chair to hold **H 65** because it contained significant issues that needed more time than was available.

**PASSED THE
GAVEL:**

Vice Chairman Mortimer returned the gavel to **Chairman Goedde**.

RECOGNITION: **Chairman Goedde** called Senate Page Abigail Sweet to the podium and thanked her for her service to the Committee. The Chairman presented her with a gift and letters of appreciation and recommendation. **Ms. Sweet** told the Committee that she had enjoyed her time and learned a lot, and she thanked the Committee for the opportunity.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 3:16 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
1:00 P.M.
Room WW55
Thursday, March 28, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|-------------------------------|---|---|
| <u>H 65</u> | Public School Funding FY 13 | Chairman Goedde |
| <u>H 317</u> | Performance Evaluation for certificated employees | Nick Smith, State Department of Education |
| <u>H 324</u> | Interstate Compact on Educational Opportunity for Military Children | Senator Brackett |
| <u>HCR 33</u> | Appointment of Interim Committee on K-12 educational system | Chairman DeMordaunt |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Pearce
Sen Fulcher
Sen Nonini

Sen Thayn
Sen Patrick
Sen Durst
Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy
Room: WW39
Phone: 332-1321
email: sedu@senate.idaho.gov

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Thursday, March 28, 2013

TIME: 1:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst and Buckner-Webb

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Education Committee (Committee) to order at 1:04 p.m. and a silent roll was taken.

H 65 **Chairman Goedde** noted that **H 65** had been previously discussed on March 21, 2013.

MOTION: **Senator Durst** made a motion to send **H 65** to the Senate floor with a **do pass** recommendation. **Senator Thayn** seconded the motion. **Vice Chairman Mortimer** asked several clarifying questions of Senator Goedde concerning redistribution of education funds following the defeat of Students Come First (SCF). **Chairman Goedde** distributed a chart to the Committee and reviewed the numbers. The chart is attached and incorporated by reference.

Senator Durst commented that he was happy to make the motion on **H 65**, to "do right" for Idaho's students and give them certainty for the remainder of this year. He also expressed his appreciation of the Chairman's efforts to ensure the best solution.

Senator Thayn said that he had received a lot of emails saying that the legislature should not put anything back from the defeated SCF laws. However, he did not think that people realized that Propositions 1, 2, and 3 had removed over \$30 million in education funding, and he said this bill is the right thing to do for this year. **Senator Fulcher** also complemented the Chairman for his work and persistence.

Vice Chairman Mortimer also praised Chairman Goedde for his hard work. He emphasized the importance of **H 65** to the school districts. While he appreciated the need for flexibility in the districts, he also expressed concern that **H 65** did not address discretionary funds and the districts' ability to "keep the lights on." Nonetheless, he was satisfied with the outcome and ready to move forward.

The motion carried by **voice vote**. Chairman Goedde will carry **H 65** on the floor.

Nick Smith, State Department of Education (SDE), explained that **H 317** represents the recommendations of the Educator Evaluation Task Force which was comprised of representatives from each stakeholder group. These recommendations modify Idaho's rules and statutes that govern teacher and principal evaluations to meet the requirements of the Elementary and Secondary Education Act (ESEA), also known as the No Child Left Behind waiver. Idaho applied for and was granted the waiver in fall 2012. **H 317** also addresses "some holes" that were left in statute following the repeal of the Students Come First (SCF) laws.

Mr. Smith outlined the background: on February 21, 2012 the State Department of Education submitted an ESEA waiver application to grant relief from the mandates of No Child Left Behind and to establish an accountability system based on multiple measures including student academic growth rather than just student achievement. Idaho's application was approved in October 2012. The waiver was divided into three Principles, with Principle 3 of the waiver clearly outlining the required elements of teacher and principal evaluation models that each state must adopt to receive the waiver.

On November 6, 2012, Idaho voters repealed the SCF laws that formed the foundation of Idaho's teacher and principal evaluation systems. Because of this, Idaho was no longer in compliance with the ESEA waiver requirements which required student achievement and multiple measures to be a part of both teacher and principal evaluations. As a result, Idaho worked with stakeholders to extensively redraft the state board rules that govern evaluations. The new language in **H 317** is needed to revise the statute in order to bring Idaho's teacher and principal evaluation requirements back in to compliance with the ESEA waiver requirements.

Mr. Smith further explained that **H 317** accomplishes the following things: (1) Clarifies who performs evaluations of assistant superintendents and principals; (2) Establishes that all certificated teachers, regardless of contract status, receive a minimum of one evaluation annually; (3) Establishes that the evaluation be completed no later than May 1st of each year; (4) Establishes that each evaluation include a minimum of two documented observations, one of which shall be completed prior to January 1 of each year; (5) Establishes that no civil action for money damages shall arise for failure to comply with the requirements to provide at least one evaluation annually.

The Educator Evaluation Task Force recommendations represent the minimum to ensure that Idaho is able to maintain the No Child Left Behind waiver that Idaho has been granted. Without these revisions, Idaho would be at risk of having its waiver revoked by the U.S. Department of Education and would need to go back to utilizing No Child Left Behind as our state accountability system rather than being able to utilize our state developed accountability system known as the Star Rating System.

Senator Nonini questioned the reference to "no civil action for money damages."

Mr. Smith explained that the language was intended to ensure that no "wiggle room" existed for a teacher to bring a cause of action based on a technicality. For example, in some districts, teachers may be hired at the end of the first semester. If that is the case, they would have already missed the January 1 deadline for the first observations. In another example, a teacher may go on a leave of absence for the birth of a child which could prevent the principal from completing the classroom observations and the final evaluation.

Senator Pearce asked if **H 317** contained more than the federal government required. **Mr. Smith** replied that **H 317** sets forth two additional requirements. The first sets out who shall perform evaluations on superintendents and administrators. The second adds the liability section previously discussed.

Vice Chairman Mortimer asked Mr. Smith to describe where Idaho stands in terms of federal compliance and quality. **Mr. Smith** described the cooperative working relationship with the U.S. Department of Education (USDE) in Washington. The USDE established a team which was assigned to Idaho, and engaged him in weekly telephone calls and conversations. **H 317** is the product of that teamwork. The Committee can expect to see the evaluation requirements in rules review next session. In terms of implementation, **Mr. Smith** said that Idaho developed teacher evaluation standards over five years ago; now they are working on principal evaluations. In addition, administrators will need proficiency training for performing evaluations. Idaho is doing a good job and moving in the right direction.

MOTION: **Senator Patrick** made a motion to send **H 317** to the Senate floor with a **do pass** recommendation. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**.

H 324 **Senator Brackett** said that the purpose of **H 324** is to authorize Idaho to join the Interstate Compact on Educational Opportunity for Military Children (the Compact). The Compact provides various mechanisms so that military children are not unfairly disadvantaged because of school attendance in multiple states or countries. The proposal is to ensure timely enrollment of military children; facilitate student placement without disadvantage for variations in attendance requirements, scheduling, sequencing, grading, course content or assessment between sending and receiving schools; and ensure on-time graduation of military children. Forty-three other states have joined the Compact.

This latest effort for Idaho to join the Compact started in December 2012 when Mountain Home Base Commander, Colonel Short, raised the issue at the Boise Chamber meeting. **Senator Brackett** said he has been working on this legislation all session, and finally has all parties on board. The school district most impacted is the Mountain Home School District. Superintendent Tim McMurty has been closely involved and has approved this bill. **Vice Chairman Mortimer** asked clarifying questions concerning compliance provisions and composition of the state commission.

MOTION: **Senator Durst** made a motion to send **H 324** to the Senate floor with a **do pass** recommendation. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**.

HCR 33 **Chairman Goedde** explained to the Committee that **HCR 33** establishes an interim education committee to study educational issues. **Senators Thayn, Nonini, Pearce** and **Durst** raised questions concerning the duplication of an interim committee with the governor's task force. **Chairman Goedde** replied that legislators would serve on the interim committee, and he would be interested to see a different perspective.

MOTION: **Senator Durst** made a motion to send **HCR 33** to the Senate Floor with a **do pass** recommendation. The motion died for lack of a second.

MOTION: **Senator Nonini** made a motion to hold **HCR 33** in Committee. **Senator Thayn** seconded the motion.

ROLL CALL VOTE: **Senators Nonini, Thayn, Patrick** and **Buckner-Webb** voted **aye**. **Chairman Goedde, Vice Chairman Mortimer,** and **Senators Pearce, Fulcher** and **Durst** voted **nay**. The substitute motion failed.

Senator Fulcher commented that if the Committee does not engage in the process, they cannot be part of the solution. In that case, the Committee would more likely be subject to the decisions of the executive branch.

MOTION: **Senator Fulcher** made a motion to send **HCR 33** to the Senate floor with a **do pass** recommendation. **Senator Durst** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 1:56 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary

AMENDED AGENDA #2
SENATE EDUCATION COMMITTEE
AND
HOUSE EDUCATION COMMITTEE
8:00 A.M.
Lincoln Auditorium, WW02
Wednesday, April 03, 2013

| SUBJECT | DESCRIPTION | PRESENTER |
|------------------------|---|--|
| S 1199 | Education Budget, Sections 25 and 26 pertaining to differential pay and technology pilot projects | Chairman Goedde; Chairman DeMordaunt |

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Pearce

Sen Fulcher

Sen Nonini

Sen Thayn

Sen Patrick

Sen Durst

Sen Buckner-Webb

COMMITTEE SECRETARY

Elaine Leedy

Room: WW39

Phone: 332-1321

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MINUTES
JOINT MEETING
SENATE EDUCATION COMMITTEE
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, April 03, 2013

TIME: 8:00 A.M.

PLACE: Lincoln Auditorium, WW02

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Fulcher, Nonini, Thayne, Patrick, Durst and Buckner-Webb

Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc and Ward-Engelking

**ABSENT/
EXCUSED:** Senator Pearce

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the Senate Education Committee (Committee) to order at 8:00 a.m., and a silent roll was taken.

Chairman Goedde expressed his appreciation for everyone's hard work throughout the session and the spirit of cooperation with which so much was accomplished. He explained that the Committee would meet jointly to hear testimony on **S 1199**, after which the House Education Committee would be excused while the Senate Committee finished its work. **Chairman DeMordaunt** agreed and so advised his committee.

S 1199 **Tom Luna**, State Superintendent, Idaho State Department of Education, explained that **S 1199** provides policy for the one-time use of funds for two programs. The first program concerns differential pay, calculated through Average Daily Attendance, and provides for the distribution of moneys to school districts who request grant funds for local excellence in achievement awards. These excellence in achievement awards are subject to a variety of criteria, including among others: (1) that the awards shall be based upon excellence in achievement plans approved by the district with evidence that various local stakeholders provided input to the plan; (2) that the plans are not subject to collective bargaining; (3) that the plans allow for expenditure on professional development; (4) that the plans shall establish goals and objective measures of growth relating to student achievement; and (5) that each district receiving grant funds must submit a detailed report to the State Department of Education reflecting student achievement results.

Mr. Luna next detailed the second program of **S 1199**: technology pilot projects. This program provides that funding will be made available to public schools and public charter schools for grants for technology pilot projects designed to improve student academic growth. The program provides for a competitive grant process prescribed by the superintendent of public instruction. The program also provides requirements for grant applications under the program. The programs outlined in **S 1199** carry a one-year sunset clause.

Vice Chairman Mortimer asked Mr. Luna to clarify section 8 of **S 1199** concerning discretionary funds. **Mr. Luna** replied that **S 1199** provides the flexibility that school districts already have. However, the legislature recognizes that some districts are using discretionary funds to pay salaries and benefits. Under **S 1199**, the differential pay provisions will allow school districts to free up those discretionary funds for other uses.

Senator Durst asked Mr. Luna how **S 1199** would impact collective bargaining in light of S 1040aa. **Mr. Luna** replied that it would not. He explained further that the \$21 million in the Education budget, which is the subject of **S 1199**, is not "in addition to" money which the state is distributing to education, but rather, it is "part of." **S 1199** simply clarifies the distribution of those funds. Regarding the technology pilot project grant portion of the bill, **Senator Durst** asked Mr. Luna how he would develop criteria for awarding the grants. **Mr. Luna** replied, that he intended to follow what had worked in the past – to set up a task force comprised of educators, school boards, businesses, etc. to review and make recommendations for awardees. One likely criteria would be to choose projects which are "scalable and sustainable" statewide.

TESTIMONY:

Rob Winslow, Executive Director, Idaho Association of School Administrators (IASA), stated that the IASA supports **S 1199**. The differential pay sections gives flexibility to districts for professional development needed with implementation of the Common Core State Standards, and also provides for technology grants. The IASA appreciates the collaborative process that has characterized this session. **Senator Durst** asked what feedback he had heard from administrators around the state. **Mr. Winslow** replied that most administrators felt that they could work within this flexibility to take care of their needs.

Colleen Johnson, Principal at Paul Elementary, described how her district had been one of several in Idaho to become an iSchool. This entailed a full-school deployment of iPads for every student and staff member, high definition TV, Apple TV, classroom audio systems, a reliable high speed network and training on the use of iPads. In addition to widespread acceptance by both parents and teachers, the most apparent impact has been the high student engagement and excitement for learning through new and creative methods. **Representative Agidius** asked about the technology infrastructure. **Ms. Johnson** replied that it was very reliable and works every day.

Ashley Johnson, a 5th grade teacher at Paul Elementary, described how technology has accelerated learning and creative thinking. Students now research projects on their iPads and present iMovies of their projects. The students have freedom to expand their imagination; since they each have their own iPad, they can learn at their own pace. Higher level students can pursue topics in more depth, while slower learners have the time and assistance they need to stay on path. **Representative Nielsen** asked about abuse or damage to the devices. **Ms. Johnson** replied that the students "treasure those iPads", and each knows how important it is as their learning device.

Karen Echeverria, Executive Director, Idaho School Boards Association (ISBA), explained the her organization represents 113 school districts and over 550 school board members. In addition, over 40 charter schools are also affiliate members of ISBA. **Ms. Echeverria** stated that the ISBA stands in support of **S 1199**. **Ms. Echeverria** said that the goal of the ISBA will be to work with any school district who wishes to submit a grant application for either the differential pay plan or technology plan, and to assist them to ensure that school districts make the best use of these funds. They look forward to the report next year from the superintendent of public instruction. The ISBA anticipates that it will contain information on the results of the plans and their impact on student achievement, and that it will contain information on the grant process itself – how it worked and how it could be improved upon. The ISBA looks forward to the recommendations of both the task force and the interim committee.

Mr. Ryan Kerby, Superintendent at New Plymouth School District, stated that he and Dr. Heather Williams work with superintendents all over Idaho, and have appreciated being included in this process. He said that S 1199 seems stronger now, the expectations are clearer, and he especially appreciates that the stakeholder groups are closer together than they have been in many year. He invited the Committee to visit with superintendents, administrators, teachers and parents in their districts to describe how this was crafted, and discuss expectations for the coming year.

Lisa Boyd, Principal for the Desert Springs school , discussed how their school had used discretionary funds to purchase iPads and upgrade their technology infrastructure. In her school of 660 students, 78 percent participate in the lunch program; 50 percent are Hispanic, 40 percent speak no English. The students "love these devices" – they are excited and "glued" to their iPads. **Representative Nielsen** asked if this obsession with iPads interferes with exercise during the recess period. **Ms. Boyd** replied that the children still go out for recess.

Robin Nettinga, Executive Director, Idaho Education Association (IEA), testified that the IEA supports **S 1199** for several reasons. The IEA's white paper, "Ensuring a World Class Education for Every Idaho Child," notes its commitment to encouraging, recognizing and rewarding excellence in teaching because it leads to increased student achievement. Changing the way school employees are paid is complex. If done well, it can drive positive change. If done poorly, it can create dissension and dysfunction throughout the state. The IEA believes that the best alternative structures can be created at the local level and be created in cooperation with those who will be affected by the changes. **S 1199** allows for local decision-making. Because there is a one-year sunset attached to the bill, the IEA further hopes that over the next year, the state will be able to collect important data that will prove useful to the Governor's Task Force and the Legislative Interim Committee. The IEA looks forward to seeing the positive results that will result from freeing up districts to try new and innovative approaches.

In summation, **Mr. Luna** noted the broad support for **S 1199**, and asked the Committee for its support as well.

ADJOURNED: Having no further testimony before the House Education Committee, **Chairman DeMordaunt** adjourned his committee at 8:42 a.m.

RE-CONVENED: **Chairman Goedde** re-convened the Senate Education Committee and called for discussion on **S 1199**.

Senator Fulcher stated that he had appreciated the testimony, the process, and in particular, the work of Chairman Goedde and Vice Chairman Mortimer. While **Senator Fulcher** suggested that the language of **S 1199** was not exactly what he would have scripted, it does reflect ongoing objectives, and he therefore could support the bill.

MOTION:

Senator Fulcher made a motion to send **S 1199** to the Senate loor with a **do pass** recommendation. **Senator Thayn** seconded the motion. **Senator Durst** objected to the process of order – that two task forces are now looking into education issues – and that policy should not be made ahead of the task forces' findings. He further objected to the "hasty manner" that was used to draft the bill, and fears it may not have been well thought out. **Senator Patrick** said he felt better with the public hearing and the support of the stakeholders. **Senator Buckner-Webb** asked about the differential pay, and **Senator Goedde** explained that the plans would be developed at the local level. Forty percent could be used for professional development and leadership; the other 60 percent could be used at the discretion of the local districts. The motion carried by **voice vote**. **Senator Durst** voted **nay**.

ADJOURNED:

Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 8:54 a.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary